M/O- LAW

CONSTITUTION BRANCH

YEAR— 1949

F.No.:.. 28/49-C

File No. 28/49-C.

19 49

Collection No

Ministry of Law

Constitution Branch.

Proa
Serial Nos

NOTES

Subject.

NOTIFICATIONS UNDER ARTICLE 341 AND 342 OF THE CONSTITUTION SPECIFYING SCHEDULED CASTES AND SCHEDULED TRIBES.

Previous References.	Later References.
7. 17/Cons/49	7. 28/49-C (1)
7. 17(1)/Cons/49	OC-3/2018 Part I
	R-24

ublecobed).

[illegible] 6862-A (M.681) 10 8-49 87,50 000.

File No.28/49/C.

Drafts of two letters to the Chief Secretaries of Provinces and States, respectively, requesting them to let us have lists of Scheduled Castes and Scheduled Tribes for inclusion in the Notifications to be issued by the President under articles 341 and 342 of the Constitution, are put up.

3-R-IV
5-1-18

PK 16/12
16.12.49.

The two drafts may issue.

2. The number of seats to be reserved for the Scheduled Castes and the Scheduled Tribes in the House of the People has to be determined on the basis of their population in the territory of India. Accordingly, it will be necessary to determine the castes which are to be specified as Scheduled Castes and Scheduled Tribes in Part C States also. But, apparently, articles 341 and 342 have no application to these States. For the present no action need, therefore, be taken in regard to Part C States.

P.S. Subramanian

(P.S. Subramanian)
17/12/1949.

PSP

Articles 341 and 342 as they stand do not apply to Part C States. The information must however be collected only as regards Part A States and Part B States.

The drafts may issue 3

17.12.49

Secretary & Sub

Con. Pa

S. Nos. 1-3 (Sec. 13/12

Ministry of Home Affairs

S. No. 4 (Receipt) Public section P. 20/c (2)

Dy. No. 9272/49 - Public - PUC

The PUC may be passed on to the Ministry of Law, as that Ministry is concerned with the scheduled Castes and scheduled tribes under Articles 341 and 342 of the Constitution of India.

YCR
20.12.49

21/12

A V Raman
21.12.49

US R(J)

Law Ministry

M. of H. A. U/O No. D. 9272/49 — Pub dt. 21 — XII — 49

MINISTRY OF LAW
21 DEC 1949
File No.
Diary No. 4129/49-C

U-R
21/12
P-1/c

From above.

The reference to the Provincial and State Govts. has already been made. Draft of a reply to the Govt. of Madras is put up.

DFA removed for issue 22/12

22/12/49.

22/12

23.12.49

S. No. 5 (Issue). P. 23/c

5

Correspondence

Punjab –	P. 39
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	123.

Constituent Assembly of India (3)

Dy. No. 4620/Cons.

P.U.C. may be transferred to the Ministry of Law for disposal

22/12/49.

M. Krishna Rani
23/12
for Joint Secretary.

Ministry of Law (Cons. Br.)

C.A. of India U/O. No. D. 4620/49-Cons, dt. 23.12.49.

Dy. No. 450/49-C dated 23/12/49

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(4)

Secy. of the Constituent Assembly of India.

Dy. No. 4402/Cons.
P.U.C.

May be forwarded to the Ministry of Law for disposal.

Draft acknowledgment put up.

21/12.

21/12

22/12/49

Ministry of Law.

C.A. of India U.O. No D. 4402/49-Cons., dt. 23.12.1949.

(11)

Dy. No. 4448/49-C
dated 23/12.
Issue
28/12

CONSTITUENT ASSEMBLY OF INDIA SECRETARIAT

Dy. No. CA/4383/Cons./49.- The subject matter of this communication relates to Scheduled Castes, which is the concern of Ministry of Law. May be transferred to them. The communication has been acknowledged by the Prime Minister's Sectt.

H.R. Gupta
22/12

(P.N. Krishna Mani)
for Joint Secretary.

Ministry of Law
CA. U.O. No. D. 4383/Cons./49 dated the 23rd December, 1949.

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S. Nos. 6, 7 + 8 (Receipts). (6 Pp. 24-31/c

(P.U.C.s I, II, and III have been transferred to us by C.A. Sectt., - vide their memos. on the three preceding pages.).

P. 24/c

p.1/C.

P.U.C. I.

The Government of Orissa may be informed that they have already been addressed in the matter, and that their lists of Scheduled Castes and Scheduled Tribes ~~are~~ awaited. Draft put up.

Pp 13-14/c. 25/c

P.U.C. II.

A copy each of the representation may be sent to the Governments of the UP. and West Bengal with the request that it may be examined in connection with the preparation of the list of Scheduled Castes asked for in our letter of the 19th Dec.,1949; and a copy of this letter may go to the Govt. of Bihar and Shri Bhagwat Prasad,MCA., for information. Draft put up.

Pp. 28-31/c.

P.U.C. III.

The Secretary, A.I. Tantuvaya Vaish Mahasabha, may be informed of the action being taken for the issue of the notification under Article 341 of the Constitution, and asked to place the facts of the matter before the Governments concerned for examination in connection with the preparation of lists of Scheduled Castes pertaining to their Provinces/States/Unions. Draft put up.

~~D of As. Send for~~ ~~charge~~ 8 ~~8/12~~

24.12.49.

24/12

28.12.49

15 S. No. 9 (Issue). P. 32/c
S. No. 10 (Issue). P. 33/c
S. No. 11 (Issue). P. 34/c.

S. No. 12 (Receipt) P. 36/C

Dy. No. 474/49-C.

This is just a copy of S. No. 1*, which has already been disposed of.

* Pp. 13, 14/C
* P. 21/C.

JR
29/12/49.

29-12-49

S. Nos. 13 + 14 (Receipts) Pp. 38 – 43/C.

Dy. Nos. 24 + 40

These are the only replies so far received to our two circular letters of the 1st Dec., 1949, to States and Provinces, and separate letter to the Govt. of Assam.

Draft of a telegraphic reminder to the other Govts. put up.

JR
7/1/50.

It will be observed that the Govt. of Assam desire that the Scheduled Tribes of that State should be shown separately under "Plains", "Autonomous districts" and "Tribal Areas"

The reply from the C.P. Govt. has since been received

JR
7/1/50

We have also just received a telegram from Bihar saying that that Govt's list will be posted on the 8th

JR
7/1

7.1.50.

* P. 44/C.

S. No. 15 (Issue) P. 42a/C.

Constituent Assembly of India

8

S. No. 16 (Receipt) P.49/C

XPUC

Pt. file 28/49-C.

This* is a representation from Shri Tarkeshwar Pandey, President, District Board, Ballia for the inclusion of "Dusadh", a backward community in U.P., in the lists of Scheduled Castes.

This may be transferred to the Ministry of Law, who are primarily concerned with the preparation of such lists, for disposal.

Subo 6/1/50

P. Krishna Rao
7/1/50.
for Secretary

Ministry of Law.

C.A. of India No. ND 3.30/Const/50 dt. 7.1.50.

17

(a)

From pre-page.

It is seen from the last page of p.v.c. that the Premier of U.P. has already agreed to recommend the request to the Govt. of India. It can, therefore, be safely expected that the U.P. list of Scheduled Castes, which has not yet been received, will contain the name of this community. No action appears necessary for the moment, except a formal acknowledgment as in draft* put up.

We have since heard from the U.P. Govt. and 'Dusadh' is included in the list of Scheduled Caste sent by that Govt.

7/1/50.

12/1

K.S.(I)

Kg Shankar
12.1.50

* Issued - p.60a/C

S.No.17-25. Pp.60-70/C.

For information; these relate to replies (regarding lists of Scheduled Castes and Scheduled Tribes) which have since been received, PEPSU excepted.

S.No.26. P.71/C.

For information; we are not directly concerned with the question of Scheduled Areas.

S.No.27. P.73/C.

For information; the reply from Hyderabad to our letter at p.~~15~~/C has not yet been received.

S.No.28. P.77/C.

This reply is not to be taken into consideration, as Vindhya Pradesh has become a Chief Commissioner's province since we addressed them.

S.No.29. P.78/C.

For information; Madras's reply has since been received.

(10)

Pp.79-126/C. S.Nos.30-42.

These are the replies from Provinces, States and Unions, regarding lists of Scheduled Castes and Scheduled Tribes to be notified under the Constitution. Lists are still due from the Governments of Hyderabad, PEPSU, and Bombay; the last-mentioned has telegraphed that they will be posted on the 14th. Draft of a further telegraphic reminder to Hyderabad and PEPSU is put up separately.

P.82/C. S.No.31.

sent Nine out of the ten tribes, figuring in our list for the guidance of the U.P.Govt., have been classified by that Government as Scheduled CASTES; one, "Tharu", has altogether been omitted because the members of this community "have been persistently agitating for the removal of their name from the list". In the end, the U.P. Govt. do not desire that there should be any list of Scheduled Tribes pertaining to their province, and this is based on two assumptions:

(1) that, as they are against ~~their~~ there being any Scheduled Areas in that province, the question of the recognition of any communities as Scheduled Tribes does not arise; and

(2) that the advancement attained by the tribes in general, and the fact ~~of~~ that several of them have been classified as Scheduled Castes, makes it unnecessary for any community being treated as a Scheduled Tribe.

(1) above: This assumption appears to be based on the same point as that made by the Madras Government
Pp.103,104/C. that "The Scheduled Tribes outside the Scheduled areas cannot get the benefit of any special laws". It will, however, be seen that paragraph 4 of the Fifth Schedule to the Constitution specifically refers to "any State having Scheduled Tribes but not Scheduled Areas"; it, therefore, appears to follow that the existence of the latter is not a condition requisite to the existence of the former.

(2) above: This assumption is more or less acceptable, as the Prov. Govt. must be deemed to be in the best position to judge the degree of advancement attained by their communities; and the only points that arise here are that the provisions relating to Scheduled Castes and Tribes are rather different; that there appears to be no bar to a community being classified as a Scheduled Caste and a Scheduled Tribe in one and the same or different areas; and that the degree of advancement attained by a tribe should be very considerable before it can, all of a sudden, cease to be treated as such.

In view, however, of the U.P. Govt.'s ~~expressed~~ strong desire not to have any Scheduled Tribes notified, and also of the fact that most of such tribes have been treated as Scheduled Castes, we may perhaps agree to their request.

(19)

S.No.32. P.88/C.

(which was prepared earlier)

Para 3: Our list was sent purely for the guidance of the West Bengal Government, and not to serve as a rigid basis.

Para 4: This is a legalistic point, perhaps technically correct, but hardly to any purpose. For orders if any action is necessary on this.

there have since been passed — vide next page

S.No.39. P.113/C.

It is for consideration if the foot-note in the Orissa list of Scheduled Tribes should be allowed to figure in the final notification; the very facts that the tribes are to be notified by the President and amendments to the list are to be made by Parliament appear to rule out any action by Provinces. P.115/C.

Copies of the lists of Scheduled Castes and Scheduled Tribes received so far are at slips F and Y respectively. The lists relating to Bihar incorporate the comments made in their letter*; they have sent no lists as such. * Pp.93,94/C.

Replies received on the two questions relating to the status of Scheduled Castes and Scheduled Tribes on change of religion are tabulated in the statement at slip G.

14/1/50.

S. No. 43.

This is the reply from the Govt. of Bombay, since received

Pp. 127-29/C

Pp 130-34/C

S. No. 44.

This is a further letter from the Bihar Govt.; for information.

16/1/50.

(12)

MINISTRY OF LAW.

The Scheduled Castes and Scheduled Tribes have to be specified by the President, by public notification, after consultation with the Governors and Rajpramukhs of States. The Government of West Bengal have suggested that as the provisions of the Constitution (articles 341 and 342) require prior consultation with the Governors and Rajpramukhs, and since this consultation could only be after the commencement of the Constitution, these orders should be published a few days after the 26th and not on the 26th. We may, perhaps, agree with the suggestion and issue the notification a week after the 26th January.

(P.S. Subramanian)
23.1.1950.

Secretary.

23/1

21

(From p.9 ante).

S.Nos.45-47 (Receipts). Pp.133-150/c

Pp.135,136/c.
+Pp.137-143/c
P.144/c
×P.39/c
(×)P.143/c

Lists have now been received from the Government of Hyderabad; the original letter from the P.E.P.S. Union, containing the lists, was sent by them to the Ministry of States, from whom it has been obtained informally.

S.No.48.

Both the Punjab and (×) PEPSU Governments have, of course, included all these four communities in their lists of Scheduled Castes; but, while the former has merely given the names of the communities, the latter has added the word "Sikh" to each of them. This appellation may perhaps be omitted in the list to be notified

by the President.

P.149/

S.No.49.

The first three of the four communities mentioned in this letter are found in the Punjab list; there is also a community "Sanhal" mentioned there, and it is not clear whether this is the same as the "Sanhals" referred to in the letter under reference. As regards the PEPSU list, only "Dumna" is found in it.

* P. 39/C.

(*) P. 143/C.

Draft of a telegram to all the States, asking them to confirm by telegram that the lists suggested by them may be notified by the President under articles 341 and 342, is put up, an addition being made in respect of PEPSU that it is proposed to omit the word "Sikh" in respect of Ramdasis, Mazhbhis, Kabirpanthis, and Sikligars.

30.1.50.

30/1/50

30 1.50

JST

Issue the telegram & then transmit.

30.1.50.

S.No. 50 (Issue). P.150/C.

J.S.'s orders above. The telegram has issued, and the file is re-submitted.

2. Under The Constitution (Application to Jammu and Kashmir) Order,1950, article 330 applies to that State so far as it relates to seats reserved for Scheduled Castes. That State may, therefore, now be asked to send a list of its Scheduled Castes, as in draft put up.

31.1.50

The Constitution (J & K. State) (Application) Order 1954 which 341 does not apply to J & K.

31.1.50.

S.Nos. 51-63 (Receipts).

14

Notes and orders from the middle of fn. 9 ante may please be seen.

The lists of Scheduled Castes supplied by the various State Governments are, in so far as they relate to Part A States, based to a very large extent on the lists settled for inclusion in the Ninth Schedule which at one time it was proposed should be included in the Constitution. A comparative statement showing the variations between the lists settled for inclusion in the Constitution, and the lists now received is at flag W.

2. All the State Governments except Punjab, Madhya Bharat and PEPSU agree that a person who belongs to any of the castes specified in the Schedule but has ceased to profess the Hindu religion should not be deemed to be a member of a Scheduled Caste. We may accept the majority view and insert a provision in the Notification accordingly. In this connection, it may be pointed out that even in the Scheduled Castes Order, 1936, there was a provision to the effect that a person who belonged to one of the castes specified in that Order but was an Indian Christian should not be treated as a member of a Scheduled Caste for the purposes of that Order.

3. There is, however, one exception to this general rule and that is with reference to the four castes among the Sikh community in the Punjab and PEPSU, viz. Ramdasis, Mazhabis, Kabirpanthis, and Sikligars. The Constituent Assembly had agreed to the inclusion of these four communities among the Sikhs as Scheduled Castes for the purposes of the Constitution. Provision to this effect has, therefore, been made in the notification to be made by the President.

4. As regards Scheduled Tribes, the statement at flag D shows the variations between the lists settled for inclusion in the Constitution in respect of Part A States; and those now received from them.

5. There is a divergence of opinion among the State Governments on the question whether a person not professing

the tribal religion should be treated as a member of a Scheduled Tribe. The Governments of Assam, Hyderabad, Madhya Bharat, Madras, Mysore, Punjab, Saurashtra, Travancore-Cochin, and West Bengal are of the view that a member of a Scheduled Tribe should not be deprived of such membership by reason of his not professing the tribal religion. The Governments of Bombay, Madhya Pradesh and Uttar Pradesh are, on the other hand, of the view that a person not professing the tribal religion should not be treated as a member of a Scheduled Tribe. Uttar Pradesh, however, has not recommended any list of Scheduled Tribes for inclusion in the notification.

6. The Government of Orissa, while agreeing that a member of a Scheduled Tribe not professing the tribal religion should not be entitled to be treated as belonging to such a tribe, has suggested that such persons should be treated as "other backward classes" for certain benefits under the Constitution.

7. The Bihar Government considers that the Christian aboriginal, as a rule, does not require any special protection, or need any special assistance; and on merits, the exclusion of almost the entire Christian aboriginal population from the list of Scheduled Tribes would, therefore, be justified. The Provincial Government, however, wish to err on the side of liberality in this matter; and they accordingly suggest exclusion only of the Christian aboriginals residing in the district of Ranchi, and in the Dumka, Pakaur and Rajmahal sub-divisions of the Santal Parganas, where the Christian aboriginals are, due to the conjunction of a variety of circumstances, most advanced.

8. The Government of PEPSU have not expressed any views as they do not have any Scheduled Tribes. Rajasthan have not yet sent their views.

9. It is accordingly suggested that here again we should accept the view of the majority and provide

that a member of a Scheduled Tribe shall continue to be a member of that tribe even if he does not observe the tribal religion. It is for consideration whether an exception to this general rule should be made in the case of Bihar alone in view of the strong views expressed by them (vide para 7 above). The draft Notification submitted proceeds on the basis that Bihar's point of view may be agreed to.

Two drafts notifications are submitted for approval. It is necessary that the concurrence of the Cabinet should be obtained to the issue of the notifications. The notifications will issue over the signature of Secretary.

3/2/50.

J S (1)

S.Nos.64-79(Receipts). Pp.174-199/C.

Further replies have been received from the States since the file was submitted last, and these confirm the views of the State Governments conveyed to us earlier. RAJASTHAN is the only State that has not replied to our telegram of the 30th Jan. last.

P.150/Cor.
P.189/Cor.
Pp.190-199/C.
P.27/C in linked file (19(2)/Con/49) - Slip Q.

S.No.78.

Bombay Government have now suggested the inclusion of one more item in their list of Scheduled Tribes - WAGHERS from the Okhamandal in Kathiawar. This may perhaps be done.

S.No.79.

The enclosure to this receipt is a copy of a memorial submitted to the Governor of U.P. praying that "Jaiswar" be included as an item in the list of Scheduled Castes pertaining to that State. It may perhaps be left to the Government of that State to take up the matter now or later.

25

As directed by J.S., the proceedings of the conference of Premiers held on 26.7.49, at which it was decided not to include lists of Scheduled Castes and Scheduled Tribes in the Constitution but leave it to the President to notify them, is placed below, as also

17)

the proceedings of the Constituent Assembly meeting on 17.9.49 when articles 341 and 342 were discussed.

slip U in collection below.

8.2.50. 8/2/50

JS(1)

RSL 14/2

S.No.80.(Receipt) P. 201/C (18)

Dy No.1668/50P-PUC

This is our responsibility. How far have we taken action and what remains to be done.

Sd/- HVR Iengar
21/2/50

Submitted.

Specification of Scheduled Castes and Scheduled Tribes under Articles 341 and 342 of the Constitution of India is the concern of the Ministry of Law (vide items 43 and 44 of the Statement). A question in Parliament for the 27th February by Prof. Yashwant Rai on this subject has also been taken over by that Ministry. We are concerned with the Scheduled Areas in Part A and Part B States. Scheduled Areas Order in respect of Part A States has been issued on the 26th Jan. and an Order in respect of Part B States is ready for submission to the Cabinet.

x x x x x x x x x x x x x x x x x x x x

Please put up to P.P.S.

Sd/- HVR Iengar.
22/2/50.

A draft d.o. is placed below for approval. The papers will be shown to the Min. of Law for necessary action with ref. to A in para. 2 of D.F.A. after issue.

Secretary.

Sd/- HVR Iengar.

Issue at once and then show to the Min. of Law.

Sd/-
23/2/50.

Reference D.S.(F)'s note at p.6 ante.

2. D.O. to Shri A.V.Pai has issued. These papers may now be referred to the Ministry of Law with reference to paragraph 2 of the D.O.

Itd.
24/2/50

Sd/- A.V.Raman.
25/2/50

Ministry of Law
Minsof H.A. d/o No. F.23/10/50-Pb dt. 27-2-50.

27

Pt. file
28/49-C.

×Issued
P.H/C

The u/o memo. dated 27.2.50 from the Ministry of Home Affairs may be seen together with the papers leading to it in their file placed below. Draft × of a D.O. letter reply to the P.P.S. to the Prime Minister is put up.

27.2.50.

H.S. agrees with the draft, as revised by me.

B G Kher
28/2

S. No. 81 (Issue) P. 204/C

Min. of Law.

×Home Min. file 23/18/50-Pub.

These pp.× may now be returned to the Ministry of Home Affairs with a copy of our D.O. letter dated the 28th Feb., 1950.

1/3/50.

o/c sd/ B.G. Kher
1/3/50.

Min. of Home Affairs

Min. of Law u/o No. 28/49-C. dated 1/3/50.

(Office notes ending on p. 17/N).

I place below revised drafts of the Constitution (Scheduled Castes) Order and the Constitution (Scheduled Tribes) Order for approval.

2. As regards the draft of the Constitution (Scheduled Castes) Order I might invite attention to the following points :

(i) The draft provides that Christians, Muslims and Buddhists shall not be deemed to be members of a Scheduled Caste. This is in conformity with the views of the majority of the State Governments and continues unaltered the position which obtained under the Government of India Act, 1935, and the Government of India (Scheduled Castes) Order, 1936. It is also consistent with the object and the purpose of the provisions of the Constitution relating to the Scheduled Castes. For although the Indian Muslim society and the Indian Christian society are both influenced by the notions of caste, converts of Scheduled Caste origin are not subjected to those disabilities which impede their economic and cultural advancement. Such converts, therefore, are not in need of the special protection provided for the Scheduled Castes.

(ii) The Schedule to be appended to the draft Order is provisionally framed on the basis of the suggestions received from the several State Governments. The statement flagged 'W' indicates the changes made in the list initially settled for inclusion in the Constitution. The additions suggested by the States can of course be accepted without further scrutiny; but the suggested omissions cannot be so accepted, especially because some of the castes suggested by the State Governments for omission were included under the schedules appended to the Government of India

(21)

(Scheduled Caste) Order, 1936 (these have been noted in pencil under the schedules relating to Part A States). The suggested omissions can be accepted only after ascertaining that there exist good reasons therefor; for instance, that the castes proposed to be omitted from the Schedule have progressed so markedly as not to require the protection. The proposals for omission of these castes are not supported by factual data disclosing any such grounds. Nor do they seem to rest upon such thoroughgoing and careful enquiries as preceded the preparation of the lists in 1936. In the circumstances, I venture to think that it would not be right to omit any of the castes from the Schedules unless the State Government concerned adduces factual data of the kind referred to above. It is, therefore, suggested that the State Governments should be invited to produce such data and that if they fail to do so the castes may be retained in the relevant schedule.

(iii) Several suggestions were received from time to time for the inclusion in the schedules of certain castes which have not been so far included by the State Governments; for instance, Major Das, I.M.S. Rtd., pointed out that Sutradhars have been recognised in Assam as a Scheduled Caste while in Bengal where their condition is certainly no better than in Assam they are not treated as a Scheduled Caste. Bakshi Tek Chand has suggested + the inclusion of Sanhais of Kangra for inclusion (the other castes suggested by him have already been included). Representations have also been received for the inclusion of certain other castes such as Jaiswars in the U.P. and Badhi, Sippi, Ghai, Darain, and Halfi in the Punjab. Some of these suggestions appear prima facie reasonable

+ p 149/c

and may also be put to the States Governments concerned.

3. The points mentioned in sub paragraphs (i) and (ii) of para 2 above arise in relation also to the draft Constitution (Scheduled Tribes) Order. On the first question the majority of the State Governments are of the view that persons belonging to any of the Scheduled Tribes should continue to be treated as members of the Scheduled tribes, notwithstanding their conversion to any religion other than the tribal religion. I venture to think that the majority opinion is correct, and accords with the object and purpose of relevant provisions of the Constitution. For in the first place there is no "tribal religion" recognisable as being the common religion of the tribes. The religious practices of the tribes in fact are influenced, in varying measure by Hinduism (see Majumdar, The Matrix of Indian Culture, p. 131). The Bhils, for instance, call themselves Hindus (Census Report for 1931, Vol. I, Part IIIB, p. 54). There have been conversions to Christianity from among some tribes; but, having regard to the isolation in which the tribes live, these conversions would not <u>prima facie</u> have the effect of absorbing the converts into the Indian Christian community, — except where the converts have left the tribe and migrated to the urban areas. More often than not, the conversion itself is formal rather than real and does not affect the allegiance of the convert to the tribal laws and customs but slightly modified by external conformity to practices of Christianity. I understand that the Education Ministry continues to treat converts from among the tribals on the same footing as the other tribals themselves, for the purposes of the award of scholarships. I, therefore, suggest that the

majority view may be accepted, but that, in view of the factual data furnished by the Bihar Government — from which the Christian tribals in certain parts of Bihar appear to have made marked advance — we may make express provision excluding the Christians of those areas in Bihar from the Scheduled Tribes. The draft order provides accordingly. P. 130/cor

4. On the second question, the considerations mentioned in sub-paragraph (ii) of paragraph 2 apply mutatis mutandis. The State Governments may, therefore, be requested to furnish factual data justifying the exclusion of any tribe (other than a tribe not treated as a Scheduled caste).

5. If H.M. approves, the State Governments will be addressed as suggested above.

B G Murdeshwar

(B.G. MURDESHWAR)
2.3.1950.

JS (D)

HM

I have suggested a few modifications in the two draft Orders.

Before the file is submitted to H.M. the following action should be taken :-

(1) An air-mail letter should be immediately sent to the States who have suggested the omissions of certain castes or tribes from the lists asking them to furnish the reasons for such omissions and also to the States concerned asking for their comments on the suggestions made by individuals and public bodies for inclusion of new items in the lists where such suggestions had not been previously referred to such States, and they should be asked to furnish the information not later than the 20th of this month.

(2) On receipt of such information from the States

a statement showing the suggestions of the States as regards additions to, and omissions from, the lists together with the reasons, if any, given therefor by such States should be prepared by the 22nd March, 1950 for H.M.'s information.

(S.N. Mukerjee).
11.3.50.

D.S(I).

Drafts of Express letters to the States of Madhya Pradesh, Madras, Orissa, Punjab, and Uttar Pradesh, Bihar & Hyderabad are put up; they are self-explanatory.

2. Attention is invited to the following two points:

P.25/C.

(1) On a representation by Shri Bhagwat Prasad, M.C.A., asking that "Dusadhs" should be included in the list of Scheduled Castes pertaining to the States of U.P. and West Bengal, we forwarded copies of his letter to both these Governments. "Dusadh" new figures in the U.P. list; but in the West Bengal list, there is an item called "DesadM". It is presumed that they are one and the same. It is also observed that these two spellings existed in the 1936 Order also in respect of the provinces of Bengal and Bihar.

(2). In the list of Scheduled Castes prepared in the C.A. Sectt, there was an item called "Megh (or Bhagat)", but in the list now furnished by the Punjab Government, it is merely "Megh"; the latter was the term adopted in the 1936 Order also.

P.39/C.

11.3.50. 11/3/50

DS(I) —

S. Nos. 82-88 (Issues). Pp. 205-211/C

35

25)

As directed by D.S., draft of letters to ~~~~ Punjab and West Bengal are put up; they are self-explanatory.

18/8/50 PK. 18/8/50

~~D.S.(C)~~ B G Kherdekar 18/8

S. Nos. 89, 90 (Issues) Pp. 212-214/C.

S. Nos. 91-93 (Receipts) Pp. 215-221/C

Notes and orders from the foot of p. 23 ante.

Replies have been received only from three States — Madras, Madhya Pradesh and Bihar. Statements of these replies are placed immediately below.

22/8/50 PK. 22/8/50

~~D.S.(C)~~

Two draft Orders and a Summary for the Cabinet have been prepared in consultation with D.S. (Dr), and shown to H.M. In regard to the Scheduled Tribes Order the general problem was discussed with Mr. Jaipal Singh by H.M. today.

Before submitting the Summary to Cabinet we may also ask for the very early comments of the Home Ministry.

R Sundaram 24.8.50.

S. Nos. 94-99 seen by D.S.

S. Nos. 100 (Issue). 248/C

P.U.C

(21)

S.No.103 (Receipt). P.288/C.

"The file should be sent at once to Mr.Gopalaswami by name.

K.V.K.Sundaram
6/4

Submitted.

2. The letter to the Government of Assam is at p.18/C, and their reply at p.40/C.

6.4.50. 31.4.50

B G Kher 6/4

6999

MINISTRY OF HOME AFFAIRS - (Shri R.A.Gopalaswami).

Law Cell No. F 28/49-C DJ 6/4

37

File No. 28/49-C

19 49.

Collection No.

Ministry of Law
Constitution Branch

Pros. Serial Nos.

CORRESPONDENCE

Subject.

Notification under Articles 341 and 342 of the Constitution specifying Scheduled Castes & Scheduled Tribes

Previous References.	Later References.
	39

S. 97 (Unbleached).

MFP—3:6 S.I.P.—6562 & -(M 461) - 16-5-49—27,000 Copies.

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S. No. 1.

IMMEDIATE

GOVERNMENT OF INDIA
MINISTRY OF LAW

No. F.28/49-C.

From

K.Y. Bhandarkar,
Joint Secretary to the Government of India.

To

The Chief Secretary to the
Government of all provinces:

New Delhi, dated the 19th December, 1949.

Sir,

I am directed to invite your attention to articles 341 and 342 of the Constitution of India which require the President to specify, after consultation with the Governor or Rajpramukh of a State, by public notification, -

(1) the castes, races or tribes or parts of or groups within castes, races or tribes, and

(2) the tribes or tribal communities or parts of or groups within tribes or tribal communities

which shall for the purposes of the Constitution be deemed respectively to be Scheduled Castes and Scheduled Tribes in relation to that State. As these notifications will have to be issued by the President on or immediately after the date of the commencement of the Constitution (26.1.1950), it is requested that this Ministry may be furnished with complete and up to date lists of Scheduled Castes and Scheduled Tribes pertaining to the Province of on or before the 7th January, 1950, for the purpose of inclusion in the said notifications. In preparing these lists, account should be taken of the areas, if any, which have been merged with the Province under section 290A of the Government of India Act, 1935.

In this...

2. In this connection I am to enclose for your information and for such assistance as they may be two lists of Scheduled Castes and Scheduled Tribes prepared by the Constituent Assembly Secretariat in consultation with the Provincial Government during the consideration stage of the Constitution.

3. The views of the Provincial Government are also invited on the questions whether -

(1) a member of a Scheduled Caste, if he has changed or subsequently change his religion, should continue to be treated as a Scheduled Caste, and

(2) a person not professing the tribal religion should be treated as a member of a Scheduled Tribe.

Yours faithfully,

(K.Y. BHANDARKAR)
Joint Secretary to the Government of India.

B.

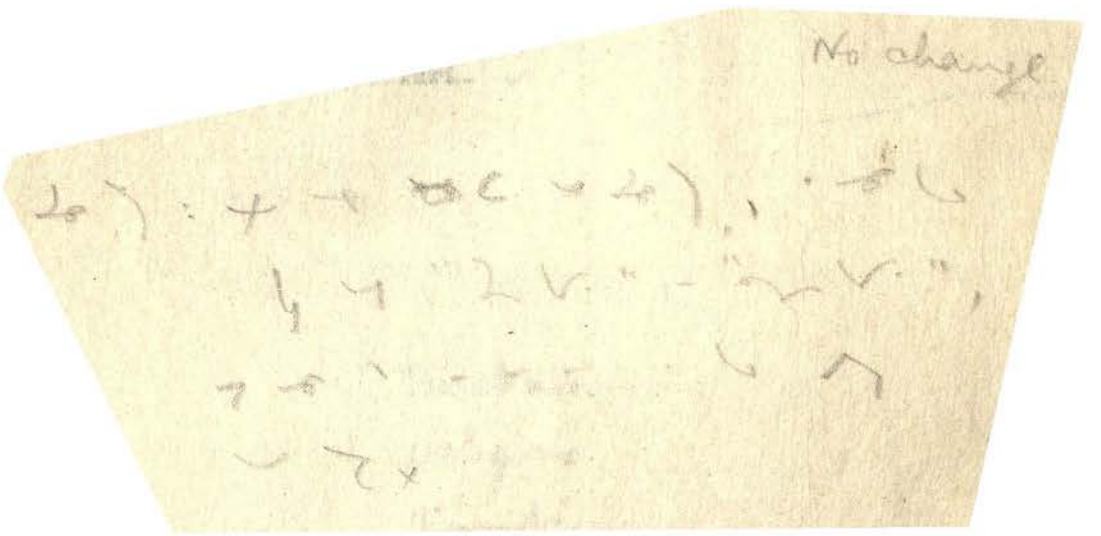
for summary of replies see Appendix

(3

LIST OF SCHEDULED CASTES.

A S S A M.

1. Bania, or Brittial Bania.
2. Bansphor.
3. Dhupi, or Dhobi.
4. Dugla, or Dholi.
5. Hira.
6. Jhalo and Malo.
7. Kaibartta, or Jaliya.
8. Lalbegi.
9. Mahara.
10. Mali, or Bhuimali.
11. Mehtar, or Bhangi.
12. Muchi.
13. Namasudra.
14. Patni.
15. Sutradhar.



(4

LIST OF SCHEDULED CASTES.

B I H A R.

1. Bauri.
2. Bhogta.
3. Bhumij. — ~~qualified~~ in respect of certain portions.
4. Chamar.
5. Chaupal.
6. Dhobi.
7. Dusadh.
8. Dom.
9. Ghasi.
10. Halalkhor.
11. Hari.
12. Kanjar.
13. Kurariar.
14. Lalbegi.
15. Mochi.
16. Musahar.
17. Nat.
18. Pan.
19. Pasi.
20. Rajwar.
21. Turi.

Bantar
Dabgar
Tanti

S.C. Order 1950.
Khiriya omitted. ~~for Santhals~~

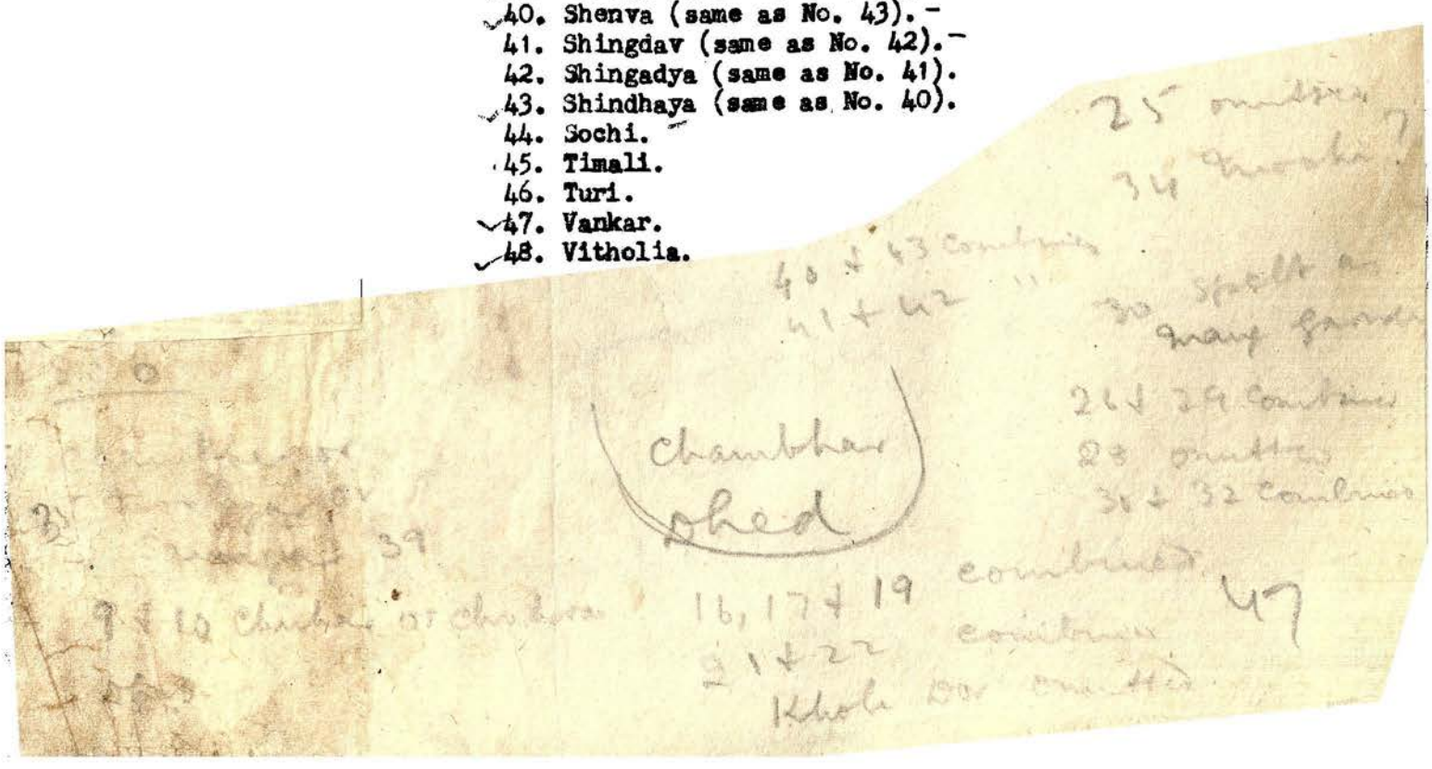
45

15

LIST OF SCHEDULED CASTES.

B O M B A Y.

1. Agar.
2. Asodi.
3. Bakad.
4. Bhambi.
5. Bhangi.
6. Chakrawadya-Dasar.
7. Chalvadi.
8. Chena-Dasaru.
9. Chuhar (same as No. 10).
10. Chuhra (same as No. 9).
11. Dakaleru.
12. Dhegu-Megu.
13. Dhor.
14. Garode.
15. Halleer.
16. Halsar (same as Nos. 17 and 19).
17. Haslar (same as Nos. 16 and 19).
18. Holaya.
19. Hulsavar (same as Nos. 16 and 17).
20. Khalpa.
21. Kolcha (same as No. 22).
22. Kolgha (same as No. 21).
23. Kotegar (in North Kanara).
24. Lingader.
25. Machigar.
26. Madig.(same as No. 29).
27. Mahar.
28. Mahyavanshi.
29. Mang (same as No. 26).
30. Mangarudi.
31. Meghval (same as No. 32).
32. Menghwar (same as No. 31).
33. Mini Madig.
34. Mochi (except in Gujarat).
35. Mochigar (same as No. 39).
36. Mukri.
37. Nadia.
38. Rohit.
39. Samagar (same as No. 35).
40. Shenva (same as No. 43).
41. Shingdav (same as No. 42).
42. Shingadya (same as No. 41).
43. Shindhaya (same as No. 40).
44. Sochi.
45. Timali.
46. Turi.
47. Vankar.
48. Vitholia.



LIST OF SCHEDULED CASTES.

CENTRAL PROVINCES AND BERAR.

1. Audhelia.
2. Bahna, or Bahara.
3. Balahi, or Balai.
4. Basor, or Burud (Kandra).
5. Bedar.
6. Chadar.
7. Chamar.
8. Chouhan.
9. Dahayat, or Dahait.
10. Dewar.
11. Dhanuk.
12. Dohor.
13. Dom.
14. Ganda.
15. Ghasia, or Ghasi.
16. Holiya.
17. Jangam.
18. Kaikadi.
19. Katiya.
20. Khangar.
21. Khatik.
22. Kori.
23. Kumhar.
24. Madgi.
25. Mala.
26. Mang.
27. Mehra, or Mahar.
28. Mehtar, or Bhangi.
29. Mochi.
30. Panka.
31. Pardhi.
32. Rujjhar.
33. Satnami.

× 9 omitted

"Turi" - added.

49

2- "or Bahara" omitted

(Kandra) omitted

9× (or Dahait).

15. (or Ghasi) omitted

Dhanuk omitted

Dhobi

Mochi

LIST OF SCHEDULED CASTES

M A D R A S.

1. Adi-Andhra.
2. Adi-Dravida
3. Adi-Karnataka
4. Ajila.
5. Aranadan.
6. Arunthuthiyar.
7. Baira.
8. Bakuda.
9. Bandi.
10. Bariki.
11. Battada.
12. Bavuri.
13. Bellara.
14. Byagari.
15. Chachati.
16. Chakkiliyan.
17. Chalavadi.
18. Chamar.
19. Chandala.
20. Cheruman.
21. Dandasi.
22. Devendrakulathan.
23. Dombo.
24. Ghasi.
25. Godagali.
26. Godari.
27. Godda.
28. Gosangi.
29. Haddi.
30. Hasla.
31. Holeya.
32. Jaggali.
33. Jambuvulu.
34. Kadan.
35. Kalladi.
36. Kanakkan.
37. Karimpalan.
38. Kattunayakan.
39. Kodala.
40. Koosa.
41. Koraga.
42. Kudiya.
43. Kudubi.
44. Kudumban.
45. Kuravan.
46. Kurichchan.
47. Kuruman.
48. Madari.
49. Madiga.
50. Maila.
51. Mala.
52. Agency Mala.
53. Mala Dasu.
54. Malasar.
55. Matang.
56. Mavilan.
57. Moger.
58. Muchi.
59. Mundala.
60. Nalakeyava.
61. Nayadi.
62. Paga dai.
63. Paidi.
64. Painda.
65. Paky.
66. Pallan.
67. Pambada.
68. Pamidi.
69. Panchama.
70. Paniyan.
71. Panniandi.
72. Pano.
73. Paraiyan.
74. Paravan.
75. Pulayan.
76. Puthirai Vannan.
77. Raneyar.
78. Relli.
79. Sachandi.
80. Samagara.
81. Samban.
82. Sapari.
83. Semman.
84. Thoti.
85. Tiruvalluvar.
86. Valluvan.
87. Valmiki.
88. Vettuvan.

× 10 omitted - "oombo" = "dom"?
"Sachandi" included in "Relli"?
Paraan

51

LIST OF SCHEDULED CASTES.

O R I S S A.

1. Adi-Andhra.
2. Ahir-Gouda.
3. Amant.
4. Amat.
5. Audhelia.
6. Badaik.
7. Bagala.
8. Bagheti.
9. Bajikar.
10. Bari.
11. Bariki.
12. Basor or Burud.
13. Bauri.
14. Bauti.
15. Bavuri.
16. Bedia or Bejia.
17. Beldar.
18. Bhanja Purana.
19. Bhata.
20. Bhumij.
21. Bindhani.
22. Chachati.
23. Chamar.
24. Chandala (Chandal).
25. Cherua.
26. Chhatrapal.
27. Chhelia.
28. Dandachhatramajhi.
29. Dandasi.
30. Desuabhumij.
31. Dewar.
32. Dhanwar.
33. Dharua.
34. Dhoba or Dhobi.
35. Dom or Dombo.
36. Dosadha.
37. Ganda.
38. Ghani.
39. Ghantarghada.
40. Ghantra.
41. Ghasi, or Ghasia.
42. Ghogia.
43. Ghusuria.
44. Godagali.
45. Godari.
46. Godra.
47. Gokha.
48. Gunju, or Ganju.
49. Haddi, or Hadi, or Hari.
50. Hatakata.
51. Irika.
52. Jaggali.
53. Jhara.
54. Kachara.
55. Kalanga.
56. Kandra or Kandara.
57. Karua.
58. Katia.
59. Kela.
60. Keuta.
61. Khadala.
62. Khadara or Khadura.
63. Khadia.
64. Khaira.
65. Kodalo.
66. Kori.
67. Kosta.
68. Kumbhar.
69. Kundura.
70. Kurunga.
71. Laban.
72. Laheri.
73. Lodha.
74. Madari.
75. Madiga.
76. Mahuria.
77. Mala, or Jhala.
78. Malarh.
79. Mang.
80. Mangan.
81. Matia.
82. Mehra, or Mahar.
83. Mehtar, or Bhangi.
84. Mewar.
85. Mochi, or Muchi.
86. Mundapotta.
87. Nagarchi.
88. Paidi.
89. Painda.
90. Pamidi.
91. Pan, or Pano.
92. Panchama.
93. Panika.
94. Panka.
95. Pantanti.
96. Pap.
97. Pasi.
98. Patial, or Patikar.
99. Patratanti.
100. Patua.
101. Pradhan.
102. Purana.
103. Rajna.
104. Raul.
105. Relli.
106. Sabakhia.
107. Samasi.
108. Sanei.
109. Saor.
110. Sapari.
111. Satnami.
112. Saunti.
113. Sidhria.
114. Sinduria.
115. Sitari.
116. Siyal.
117. Sukuli.
118. Sunar.
119. Tamadia.
120. Tamudia.
121. Tanla.
122. Telenga.
123. Tiar, or Tior.
124. Turi.
125. Ujia.
126. Valamiki, or Valmiki.

---

* 1 omitted "Kumi" added

LIST OF SCHEDULED CASTES.

EAST PUNJAB.

1. Ad Dharmi.
2. Bangali.
3. Barar.
4. Barwal.
5. Bawaria.
6. Bazigar.
7. Bhanjra.
8. Chamar.
9. Chanal.
10. Chuhra, or Balmiki.
11. Dagi (and Koli.)
12. Dhanak.
13. Domna, or Mahasha.
14. Gagra.
15. Gandhila.
16. Kabirpanthi.
17. Khatik.
18. Kori. [or Koli]
19. Marija, or Mareesha.
20. Mazhabi.
21. Megh, (or Bhagat.)
22. Nat.
23. Od.
24. Pasi.
25. Perna.
26. Pherera.
27. Ramdasi.
28. Sanhal.
29. Sansi.
30. Sapela.
31. Sarera.
32. Sikligar.
33. Sirkiband.

( ) omitted.
[ ] added.

~~Balmiki & Chuhra~~

Practically no change.

LIST OF SCHEDULED CASTES.

UNITED PROVINCES.

1. Agariya.
2. Badi.
3. Badhik.
4. Baheliya.
5. Bajaniya.
6. Bajgi.
7. Balahar.
8. Balmiki.
9. Banmanus.
10. Bansphor.
11. Barwar.
12. Basor.
13. Bawariya.
14. Beldar.
15. Bengali.
16. Beriya.
17. Bhantu.
18. Bhuiya.
19. Bhuyiar.
20. Boriya.
21. Chamar.
22. Chero.
23. Dabgar.
24. Dhangar.
25. Dhanuk.
26. Dharkar.
27. Dhobi.
28. Dhusia (or Jhusia).
29. Dom.
30. Domar.
31. Gharami.
32. Ghasiya.
33. Gual.
34. Habura.
35. Hari.
36. Hela.
37. Jatava.
38. Kalabaz.
39. Kanjar.
40. Kapariya.
41. Karwal.
42. Khairaha.
43. Kharot.
44. Kharwar (except Benbansi).
45. Kol.
46. Korwa.
47. Lalbegi.
48. Majhwar.
49. Nat.
50. Pankha.
51. Parahiya.
52. Pasi.
53. Patari.
54. Rawat.
55. Saharya.
56. Sanaurhiya.
57. Sansiya.
58. Shilpkar.
59. Turaiha.

Banwar
Banga.
Bhokra
Dwandh.
Gond

LIST OF SCHEDULED CASTES

WEST BENGAL

1. Bagdi.
2. Bahelia.
3. Baiti.
4. Bauri.
5. Bediya.
6. Beldar.
7. Bhuimali.
8. Bhúiya.
9. Bhumáj.
10. Bind.
11. Chamar.
12. Dhoba.
13. Doai.
14. Dom.
15. Dosadh.
16. Ghasi.
17. Hari
18. Gonrhi.
19. Jalia Kaibartta.
20. Jhalo Malo, or Malo.
21. Kadar.
22. Kandra.
23. Kaora.
24. Karenga.
25. Kastha.
26. Kaur.
27. Khaira.
28. Khatik.
29. Koch.
30. Konai.
31. Konwar.
32. Kora.
33. Kotal.
34. Lalbegi.
35. Lodha.
36. Lohar.
37. Mohar.
38. Mahli.
39. Mal.
40. Mallah.
41. Malpahariya.
42. Mehtor.
43. Muchi.
44. Musahar.
45. Nagesia.
46. Namasudra.
47. Nuniya.
48. Paliya.
49. Pan.
50. Pasi.
51. Patni.
52. Pod.
53. Rabha.
54. Rajbanshi.
55. Rajwar.
56. Sunri.
57. Tiyar.
58. Turi.

No change.

59

LISTS OF SCHEDULED TRIBES

A S S A M

1. Aka.
2. Apa Tanang.
3. Abor.
4. Boro or Boro-Kachari.
5. Deori.
6. Dafla.
7. Dimasa.
8. Garo.
9. Galong.
10. Hajong.
11. Hojai.
12. Jaintia.
13. Kachari.
14. Khasi.
15. Khamti.
16. Lalung.
17. Lushai.
18. Lakher.
19. Miri.
20. Mikir.
21. Misimi.
22. Mech.
23. Singpho.
24. Syntang.
25. Rabha.
26. Any Naga or Kuki tribe.
27. Any other tribe notified by the Government of Assam.

B I H A R

I. A resident of the State of Bihar belonging to any of the following tribes and professing tribal religion :-

1. Asur.
2. Baiga.
3. Banjara.
4. Bathudi.
5. Binjhia.
6. Birhor.
7. Birjia.
8. Chero.
9. Chik Baraik.
10. Ghatwar.
11. Gond.
12. Gorait.
13. Ho.
14. Karmali.
15. Kharia.
16. Kharwar.
17. Khetauri.
18. Khond.
19. Kisan.
20. Kora.
21. Korwa.
22. Mahli.
23. Mal Pahariya.
24. Munda.
25. Oraon.
26. Parhaiya.
27. Santal.
28. Sauria Paharia.
29. Savar.

II. A resident in any of the following districts, that is to say, the districts of Ranchi, Singhbhum, Hazaribagh, Santal Parganas and Manbhum, belonging to the Bhumij tribe and following tribal religion.

III. Any other tribe notified by the Government of Bihar.

(13)

BOMBAY

1. Barda.
2. Bavacha.
3. Bhil.
4. Chodhara.
5. Dhanka.
6. Dhodia.
7. Dubla.
8. Gamit, or Camta.
9. Gond.
10. Kathodi or Katkari.
11. Konkna.
12. Koli Mahadev.
13. Koli Dhor.
14. Mavchi.
15. Naikda or Nayak.
16. Pardhi, including Adivich-incher or Phanse Pardhi.
17. Patelia.
18. Pomla.
19. Powara.
20. Rathawa.
21. Tadvi Bhill.
22. Thakur.
23. Valvai.
24. Varli.
25. Vasava.
26. Any other tribe notified by the Government of Bombay.

Bhagalia Bhil Gharsia Barki Bhil

Dungri Bhil " Gharasia Mewari Bhil Rawal Bhil } Bhils

CENTRAL PROVINCES AND BERAR.

1. Agaria (Patharia).
2. Andh.
3. Baiga (Nahar).
4. Binjwar.
5. Bhaira - Bhumia (Bhuinhar).
6. Bhaina.
7. Bhattra (Amnite).
8. Bhil.
9. Bhunjia.
10. Birhul (Birhor).
11. Dorla.
12. Dhanwar.
13. Gond (including Raj, Khatola, Bhoi, Ojha, Dhuru, Dhuruwa, Gattu, Gatti, Kaitar, Koya, Gaita, Nagarchi, Nagvansi, Mannewar, Arakh, Kisan, Kalanga).
14. Pando.
15. Kamar.
16. Kawar (Kanwar, Cherwa).
17. Kol.
18. Kolam.
19. Koli.
20. Korku.
21. Korwa.
22. Kharia.
23. Khond (Kandh or Kondh).
24. Maria (Bison Horn, Hill, Badi, Bada, Chota, Dandarai, Kuchaki, Mucha, Wade, Vade).
25. Muria (Raj).
26. Majhwar or Manjhwar (Chik).
27. Nagesia (Nagasia).
28. Nihal (Nahal, Khadia).
29. Oraon (Kisan, Dhangad).
30. Pardhan (Pathari).
31. Parja.
32. Savar, (Sawara, Kisan).
33. Saonta (Saunta).
34. Any other tribe notified by the Government of Central Provinces and Berar.

x 6 omitted

Chik Halba Bhota D Gadaba or Gatta Kunda Pardhi Waddar. 7 added

EAST PUNJAB

1. The Tibetans in Spiti and Lahaul in the Kangra District.
2. Any other tribe notified by the Government of East Punjab.

MADRAS

1. Aranadan.
2. Badaga.
3. Bagata.
4. Bhottadas - Bodo Bhottada, Muria Bhottada and Sano Bhottada.
5. Bhumias - Bhuri Bhumia and Bodo Bhumia.
6. Chenchu.
7. Gadabas - Boda Gadaba, Cerllam Gadaba, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Gadaba, and Pranga Gadaba.
8. Gondi - Modya Gond and Rajo Gond.

9. Goudus - Pato, Ehirithya Dudhokouria, Hato, Jatako and Joria.
10. Kosalya Goudus- Posothoriya Goudus, Chitti Goudus, Dongayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pulloso-riya Goudus.
11. Magatha Goudus - Gernia Goudu, Goodo Magatha, Dongayath Goudu, Ladya Goudu, Ponna Magatha and Sana Magatha.
12. Irula
13. Holva
14. Jadapus
15. Jatapus
16. Kammaras
17. Khattis-Khatti, Kommarao and Lohara.
18. Kodu
19. Kommar
20. Konda Dhoras
21. Konda Kapus
22. Kondareddis
23. Kondhs - Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiriá Kondhs and Yenity Kondhs.
24. Kota
25. Kotia - Partika, Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya, Sanrona and Sidho Paiko.
26. Koya or Goud with its sub sects. - Raja or Rasha Koyas, Lingadhari Koyas (Ordinary) and Kottu Koyas.
27. Kurumans
28. Kattunayakan
29. Lambadi
30. Maune
31. Manna Dhora
32. Mukha Dhora
33. Muria
34. Paigarapu
35. Palasi
36. Paniyan
37. Porjas - Bodo, Bonda, Daruva, Didua, Jodia, Mundili, Pengu, Pydi, and Saliya.
38. Reddi Dhoras
39. Sholaga
40. Sugali
41. Savaras - Kapu Savaras, Khutto Savaras and Maliya Savaras.
42. Toda
43. Yenadi
44. Yerukula
45. Inhabitants of the Laccadive, Minicoy and Amindivi islands, excluding those declared to be outsiders by such authority and in accordance with such instructions as may be issued by the Government of Madras.
46. Any other tribe notified by the Government of Madras.

O R I S S A

1. Bagata.
2. Baiga.
3. Banjara.
4. Banjari.
5. Bathudi.
6. Bhuiya.
7. Bhuyan.
8. Binjhal.
9. Binjhia or Binjhoa.
10. Birhor.
11. Bondo Poraja.
12. Chenchu.
13. Dal.
14. Gadaba.
15. Ghara.
16. Gond.
17. Gorait or Korait.
18. Ho
19. Jatapu.
20. Juang.
21. Kawar.
22. Kharia or Kharian.
23. Kharwar.
24. Khond (Kond) or Kandha.
25. Kisan.
26. Kolha.
27. Kolah-Kol-Loharas.
28. Koli.
29. Kondadora.
30. Kora.
31. Korua.
32. Koya.
33. Kulis.
34. Mahali.
35. Mankidi.
36. Mankirdia.
37. Mirdhas.
38. Munda (Munda-Lohara and Munda-Mahali).
39. Mundari.
40. Oraon.
41. Paroja.
42. Santal.
43. Saora (Savar).
44. Tharua.
45. Any other tribe notified by the Government of Orissa.

15)

UNITED PROVINCES

1. Bhuiya.
2. Raiswar.
3. Baiga.
4. Banamanus.
5. Gond.
6. Kharwar.
7. Kol.
8. Sahariya (Saharya).
9. Tharu.
10. Bhoksa.
11. Any other tribe notified by the Government of United Provinces.

WEST BENGAL

1. Bhutia (in place of Botia).
2. Lepcha.
3. Mech.
4. Mru.
5. Munda.
6. Oraon.
7. Santal.
8. Any other tribe notified by the Government of West Bengal.

No change.

S.No.2.

IMMEDIATE

(16

GOVERNMENT OF INDIA
MINISTRY OF LAW

No. F.28/49-C.

From

K.Y. Bhandarkar,
Joint Secretary to the Government of India.

To

The Chief Secretary to the
Government of all States and Unions except Jammu & Kashmir

New Delhi, dated the 19th December, 1949.

Sir,

I am directed to invite your attention to articles 341 and 342 of the Constitution of India which require the President to specify, after consultation with the Governor or Rajpramukh of a State, by public notification, -

(1) the castes, races or tribes or parts of or groups within castes, races or tribes, and

(2) the tribes or tribal communities or parts of or groups within tribes or tribal communities

which shall for the purposes of the Constitution be deemed respectively to be Scheduled Castes and Scheduled Tribes in relation to that State. As these notifications will have to be issued by the President on or immediately after the date of the commencement of the Constitution (26.1.1950), it is requested that this Ministry may be furnished with complete and up to date lists of Scheduled Castes and Scheduled Tribes pertaining to the Province of on or before the 7th January, 1950, for the purpose of inclusion in the said notifications. In preparing these lists, account should be taken of the areas, if any, which have been merged with the Province under section 290A of the Government of India Act, 1935.

65

In this...

2. In this connection I am to enclose for your information and for such assistance as they may be two lists of Scheduled Castes and Scheduled / prepared by the Constituent Assembly Secretariat in consultation with the Provincial Government during the consideration stage of the Constitution.

3. The views of the Provincial Government are also invited on the questions whether -

(1) a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste, and

(2) a person not professing the tribal religion should be treated as a member of a Scheduled Tribe.

Yours faithfully,

(K.Y. BHANDARKAR)
Joint Secretary to the Government of India.

B.

S.No. 3.

(15)

GOVERNMENT OF INDIA
MINISTRY OF LAW

No. F.28/49-C.

From

K.Y. Bhandarkar,
Joint Secretary to the Government of India.

To

The Chief Secretary to the Government of Assam,
Shillong.

New Delhi, dated the 19th December, 1949.

Sir,

I am directed to invite your attention to articles 341 and 342 of the Constitution of India which require the President to specify, after consultation with the Governor or Rajpramukh of a State, by public notification, —

(1) the castes, races or tribes or parts of or groups within castes, races or tribes, and

(2) the tribes or tribal communities or parts of or groups within tribes or tribal communities

which shall for the purposes of the Constitution be deemed respectively to be Scheduled Castes and Scheduled Tribes in relation to that State. As these notifications will have to be issued by the President on or immediately after the date of the commencement of the Constitution (26.1.1950), it is requested that this Ministry may be furnished with complete and up to date lists of Scheduled Castes and Scheduled Tribes pertaining to the Province of Assam on or before the 7th January, 1950, for the purpose of inclusion in the said notifications. In preparing these lists, you will of course take into account the Khasi States and the Assam Tribal Areas which will form part of Assam under the new Constitution.

67

2. In this connection I am to enclose for your information and for such assistance as they may be two lists of Scheduled Castes and Scheduled Tribes prepared by the Constituent Assembly Secretariat in consultation with the Provincial Government during the consideration stage of the Constitution.

3. The views of the Provincial Government are also invited on the questions whether —

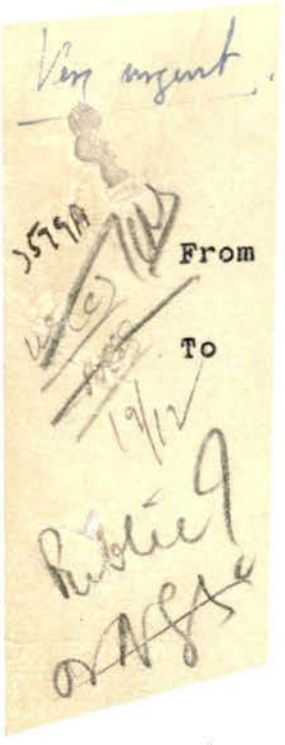
(1) a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste, and

(2) a person not professing the tribal religion should be treated as a member of a Scheduled Tribe.

Yours faithfully,

(K.Y. BHANDARKAR)
Joint Secretary to the Government of India.

Q.



S.No.4.

GOVERNMENT OF MADRAS.
PUBLIC (MISCELLANEOUS.~~II~~) DEPARTMENT.
-:-

Letter/Ref No.1842/49-1.

120

SCR 20/12

9272/49-pub 20/12/49

SRI K. RAMUNNI MENON, I.C.S.,
Chief Secretary to the Government of Madras.

The Secretary to the Government of India,
Ministry of Home Affairs,
NEW DELHI-3. (with enclosure).

Dated, Fort St. George, Madras, the 16th December 1949.

Sub:- NEW CONSTITUTION - Lists of Scheduled Castes and Scheduled Tribes.

Ref:- Correspondence resting with this Government's letter No.740/49-1, Public (Miscellaneous) dated 18th July 1949 to the Joint Secretary to the Constituent Assembly.

- - - -

Sir,

I am directed to invite a reference to the letter cited and to Articles 341 and 342 of the New Constitution and to enquire when the question of drawing up the lists of Scheduled Castes and Scheduled Tribes is likely to be taken up and whether the Government of India propose to issue any reference to the Provincial Governments on the subject and if so when it may be expected.

Yours faithfully,

(P.K. Hanumantha Rao),
for CHIEF SECRETARY TO GOVERNMENT.

RS16/12

(21)

Copy of Immediate Letter No.740/49-1 Public (Miscellaneous) Department Dated 18th July 1949 from the Additional Secretary to the Government of Madras addressed to the Joint Secretary, Constituent Assembly of India, Council House, New Delhi.

========

NEW CONSTITUTION - Scheduled Tribes and Scheduled Castes - Madras Province - Schedules VIII and IX - Revision.

Ref: Letter from the Constituent Assembly of India, No.CA/17/Cons/49, dated 3-6-1949.

===

With reference to your letter cited above, I am directed to say that the question has been re-examined by this Government with reference to all the information and literature availabe, including the "Report on the Socio-economic condition about the Aboriginal Tribes of the Province of Madras" of Dr.A.Aiyappan, M.A., Ph.D., Superintendent, Government Museum, Madras, is this Government's expert on this subject of Aboriginal Tribes and he has recently, as Member and Secretary of the Aboriginal Tribes Welfare Enquiry Committee set up by this Government, investigated matters relating to these tribes. I am therefore to suggest that his valuable report may be consulted before final decisons are taken.

2. This Government have no objection to the inclusion of the following 14 Tribes in the VIII Schedule under Madras:

Aranadan, Badaga, Chenchu, Irula, Kota, Kurumans, Kattunayakan, Lambadi, Paniyan, Sholaga, Sugali, Toda, Yenadi and Yerukula.

The Drafting Committee have laready accepted this Government's suggestion that the following entry should be added to the Madras List:-

"Any other tribe notified by the Government of Madras".

3. This Government agree that the following 15 tribes may be omitted from the VIII Schedule:-

Bissoy, Dhakkada, Dom, Ghasi, Seerithi Goudus, Madigas, Malas or Agency Malas or Valmikis, Malis, Muli or Muliya, Ojulu or Metta Kamasalies, Omanaito, Palli, Pentiyas, Relli or Sachandi and Ronas.

4. In their letter No.1581/48-2, dated 2-2-1949, this Government informed Sri A.V.Thakkar that the Boyas are mainly agriculturists and agricultural labourers and that though they are rather backward, they are not so backward as to deserve to be treated as a Scheduled Tribe. The Dasaris are found only in small numbers in this Province and they lead a life of professional singing and mendicancy. Both these communities have been treated by this Government as backward classes for purposes of educational concessions, and this Government are of the view that there is no sufficient case for treating them as Scheduled Tribes: it is likely that they would resent being classified as Scheduled Tribes.

As for Kurichchans, they have been included in the Scheduled Castes' Order, 1936. They were immigrants from the Malabar plains and are high up in the social scale, among the Tribes in Malabar (mostly in Wynaad) and are orthodox -- vide pages 93-94 of Dr.Aiyappan's report. This Government are therefore of the view that, while this community should remain in the Scheduled Castes List, they need not be included in the list of Scheduled Tribes.

This Government would accordingly urge that the following 3 tribes need not be included in the VIII Schedule:

(73)

Boya, Dasari, Kurichchans.

p.t.o.

5. As regards the following 7 tribes, this Government are not satisfied, on the information available, that they should be included in the VIII Schedule:

Eravallan or Eravallar, Kasaba, Kuruba, Kadan, Kaniyan, Kudiya and Malasar.

The Kurubas, for instance, are found in appreciable numbers in the Ceded Districts living as part of the general population: they are shepherds and there seems to be no reason for treating them as Scheduled Tribes. This Government would, therefore, suggest that all such doubtful cases should be left to be settled by the Provincial Government after necessary investigation after the New Constitution has come into force. If such investigation shows that a particular community should be added to the List of Scheduled Tribes as finalised by the Constitution Assembly, this Government could exercise its powers in this behalf and notify it accordingly. Where the position is not quite clear, it is not, therefore, necessary to take a hasty decision now.

6. Of the 15 tribes, the omission of which from the VIII Schedule has been agreed to in paragraph 3 above, Dom, Ghasi, Madigas, Malas, Valmikis and Relli are already in the Scheduled Castes' List (Schedule IX) and should remain in that List; 'Agency Malas' who are a sub-division of Malas residing in the Agency tracts, and 'Sachandi' who constitute a sub-division of the same caste as Relli, may be added to the same List (Schedule IX)

(sd) S.Venkateswaran,
ADDITIONAL SECRETARY TO GOVERNMENT.

Copy to the Secretary to the Government of India, Ministry of Education (with reference to their letter No.5066/48-A2, dated 28-4-1949.)
Sri Kala Venkata Rao, Member, Constituent Assembly, Council House, New Delhi.

+++++++

(True Copy)

E. Chockalingam
SUPERINTENDENT. 17.12.49.

Bhp.17/12/49.

DEPARTMENT/OFFICE.

(93)

S. No. 5. File No.

Serial No.

Draft Letter / ~~Memorandum~~ / Telegram

No. 28/49-C Dated 24th Dec '49.

1. Date of despatch.
2. List of enclosures.

To

The Chief Secretary to the
Govt of Madras,
Public (Misc.) Department,
Fort St. George, Madras.

Sir,

With reference to your letter No. 1842/49-1 dt 16-12-1949, addressed to the Ministry of Home Affairs, Govt of India, on the subject of notifications to be issued by the President of India under articles 341 and 342 of the Constitution regarding

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P.T.O.

Issue No 814

24/12

11)

Scheduled Castes and Scheduled Tribes, I am directed to state that the Provincial Govt. has already been addressed in the matter, vide this Ministry's letter of even number dt. 19-12-1945.

Yours faithfully,

J.S

F.P.I/C

S-5 (Small)
MFP—326 S&P—6767-A—(M-609)—26-7-46—200,000 Pads.

Dy. No. 4620/Cons/49 D. 22/12

Government of Orissa S. No. 1.

Home Department.

...

No. 915 Reforms.

From

S. N. Mahapatra, Esqr., I.A.S.,
Additional Secretary to Government.

To

The Joint Secretary to the Constituent
Assembly of India, Council House, New Delhi.

Cuttack, the 19th December, 1949.

Sir,

I am directed to refer to article 341 of the Constitution of India which provides that the President may, after consultation with the Governor or Rajpramukh of a State, by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of the Constitution be deemed to be Scheduled Castes in relation to that State. So far as this Province is concerned, a list of Scheduled castes in the Province was forwarded to you with my letter no. 444 Reforms., dated the 7th June 1949. The Provincial Government, on further consideration, recommend that 'Kurmi' should be included in the said list of Scheduled Castes. I am accordingly to request you to take necessary action in this regard.

Yours faithfully,

Additional Secretary to Government.

Somnath. 19/12.

79

S.No.7.

25

To

The Hon'ble the President,
Constituent Assembly of India,
New Delhi.

Dear Sir,

I beg to submit the following for your kind consideration :-

1. 'Dusadhs' are recognized as one of the scheduled castes in the province of Bihar. Their number in this province is about 13 lacs. This particular caste is mainly found in this province only. In the two neighbouring provinces, viz: the United Provinces and the West Bengal also this caste is found, but only in the frontier districts which are on the border of this province. The social, economic, educational and cultural condition of this caste is very low and backward, and that is why it has been included in the list of scheduled castes. The privileges and facilities provided for the advancement of the scheduled castes have gone a long way towards improving the lot of the Dusadhs in this province. But I am sorry to have to mention that due to some mistake somewhere, this caste in the U. P., where its strength is about ninety thousand, and in West Bengal, with a population of about a lac, was not enumerated in the list of scheduled castes, with the unhappy and unfortunate result that they are lagging far behind their brethren in Bihar in every sphere. I had an opportunity of studying their condition personally at first-hand, and I found that because of this exclusion they had been deprived of the benefit of all ameliorative measures.

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2. In the best interest of society in general and scheduled castes in particular, I would like to request you to rectify this mistake made by the British Government so that Dusadhs inhabiting the U. P. and West Bengal may be

CONSTITUENT ASSEMBLY OF INDIA. Dy. No. 4402 16/12 CONSTITUTION SECTION

26

may be included in their respective provinces in the list of scheduled castes and may receive the privileges and facilities provided for other scheduled castes in these two provinces. So far as I am concerned, I am convinced that the Dusadhs both in the U. P. and West Bengal fully satisfy all the criteria for inclusion in the list of scheduled castes, and it will be remedying a great wrong if they are now included.

3. I hope that now that this omission has been drawn to your attention, this mistake will be put right and that the Dusadhs both in the U. P. and West Bengal will be included in the list of scheduled castes.

Yours faithfully,

Bhagwat Prasad

(Bhagwat Prasad), 14/12/49

Member, Constituent Assembly of India,&
Member, Bihar Legislative Assembly.

PATNA,
December 14, 1949.

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DEPARTMENT/OFFICE.

Draft Letter ~~Telegram~~ ~~No. 3~~ File No.

Serial No.

1. Date of despatch

2. List of enclosures

No. D.4402/49-Cons. Dated 22nd December, 1949.

To

Shri Bhagwat Prasad, M.C.A.,
17, Windsor Place,
New Delhi.

Dear Sir,

I am desired to acknowledge the receipt of your letter dated December 14, 1949, regarding the inclusion of 'Dusadhs' inhabiting the United Provinces and West Bengal in the list of Scheduled Castes, and to state that under article 341 of the Constitution of India the President has been empowered to issue a notification, after consultation with the Governor or Rajpramukh of a State, specifying the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of the Constitution be deemed to be Scheduled Castes in relation to each State. As the necessary action in this regard is to be taken by the Government of India in the Ministry of Law, your letter is being forwarded to them for necessary action.

Yours truly,

J.S.

85

S. 5 (Large).
MFP—378 S&P—6 787—(M-869)—11-9-45—150,000 Pads.

A. J. Tantuvaya Vaish Mahasabha

Dy. No. 478-Com.

Presid[illegible] Sjt. Y. D. KANAUJIA, B. A.
KADAMKUAN, PATNA.
Gen. Secy.: Sjt. C. L. BADRETIA
ROSHANARA ROAD, DELHI.

S. No. 8.

Head Office: AJMER

98

No. _____

Dated 7th Dec' 1949

The Hon'ble Pandit Jawaharlalji Nehru
Prime Minister
Government of India, New Delhi.

Respected Sir,

Thanks a million for your kind acknowledgement of November 49.

I am herewith also enclosing a copy of an application dated the 17th oct '49 which was addressed to the Hon'ble Sardar Vallabhbhai Patel Deputy Prime Minister, New Delhi. So far nothing has been heard from him

I shall esteem it a great favour if you would kindly give the matter your favourable and sympathetic consideration.

Hoping to be excused for the inconvenience caused and an early reply will be very much appreciated.

With kind regards

87

Yours truly

Encl!

Suganchand Hoola Das Gupta
Secretary
Sobha-Sadan
Adarshnagar - AJMER

PRIME MINISTER'S SECRETARIAT
D-14964
9 DEC 1949
PMD (CR)
INDIA

29

The Hon'ble Sardar Vallabh Bhai Patel,
Deputy Prime Minister
Government of India,
New Delhi.

Dear Sir,

On behalf of the Tantuvai Vaish Maha Sabha (a registered body representing Tantuvai Vaishias of India), I beg to represent the following for the kind consideration of the Drafting Committee of the Constituent Assembly:-

1. That according to the last census the population of the Tantuvai Vaishias is about one crore, which is distributed in the Provinces of Assam, Bengal, Bihar, U.P., C.P. Rajputana Ajmer, Gujrat and Southern India.

2. That the main occupation of the people belonging to Tantuvai Vaish is weaving of cloth.

3. That they are called indifferent names in different Provinces viz. Assam-Tanti, Bengal-Tanti, Tatwa, Basak. Bihar-Tanti, Tatwa, Patwa, Kosti, U.P.-Kori, Koli, Mahaur, Mahawar, Shakyawar, Patwa and Tantuvai Vaish, C.P.-Kosta, Kosti, Kori, Mahaur, Kabier-Wansi, Rajputana. Kabir bansi, Ghagharpar, Mahaur, Sakwar, Kori, Ajmer-Kori, Koli, Tantuvai Vaish, Mahaur, Sakwar, Gujrat-Kapadiya,Patidhar, Khatri, Saurashtra, Southern India-Kusta, Kopti, Patwager, Shali, Kakolkar, Patloonker, Dewang, Kosti, Tagora, Khatri, Saurashtra.

4. That the people belonging to Tantuvai Vaish community have been carrying on a persistant demand since 1896 for their exclusion from the list of Scheduled castes. Various representations were made from time to time to the Government and resolutions passed by various conferences.

5. That as a result of this demand the Province of U.P. has already excluded Tantuvai Vaish Community from the list of the scheduled castes as is clear from the letter of the Government dated 2nd July, 1949 No. 4096/111-15(5)/ 1949 addressed to the President Shri Tantuvai Vaish Sabha, Roshanganj, Shahjahangur by the General Aim Imistration Department, Government of United Provinces, Lucknow. (Copy enclosed for ready reference)

6. That the C.P. Government is quite sympathetic to this demand has advised us to represent the matter to the Constituent Assembly so that in the new Constitution the Tantuvai Vaish Community may be excluded from the list of Scheduled Castes.

7. That we accordingly beg to approach you that there is no difference of opinion on the question amongst the people belonging to Tantuvai Vaish Community.

In view of the same I request you that this maky kindly be placed before the Constituent Assembly and the Tantuvai Vaish community should be excluded from the list of scheduled castes.

I need hardly point out that in making this request we are voluntarily denying to ourselves the special privileges which are enjoyed by the scheduled castes. We are doing so knowingly as we place self respect before political concessions. Under the

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circumstances I trust the Drafting Committee of the constituent Assembly will be pleased to give a legitimate, due, and sympathetic consideration and provide in the Constitution of Free India for our exclusion from the list of scheduled castes.

In the end we may add that we shall be only too glad if an opportunity given to the representatives of the Sabha to wait on you in deputation and produce such other evidence in support of our demand as we have in our possession.

Thanking you,

Yours truly,
For the Tantuvai Vaish Maha Sabha.

Dated:-17th October 1949'
Ajmer.

Suganchand Mooladas Gupta

Secretary,
(Suganchand Mooladas Gupta)
Sobha Sadan, Adarsh Nagar,
AJMER-MERWARA.

Copy forwarded to:-

1. The Hon'ble Dr: Rajendra Prasad,
   President Constituent Assembly,
   Government of India, New Delhi.

2. Rashtrapati, Dr: Pattabhi Sitaramaia,
   c/o All India Congress Committee, New Delhi.

3. The Hon'ble K.M.Munshi,
   President Drafting Committee of the Constituent
   Assembly of India, New Delhi.

4. The Hon'ble Desh Bandhu Gupta,
   Member Constituent Assembly, New Delhi.

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(39

GOVERNMENT OF THE UNITED PROVINCES

GENERAL AIM IMISTRATION DEPARTMENT.

No. 4096/111-15(5)/1949

Dated Lucknow, July 2, 1949.

OFFICE MEMORANDUM

In continuation of office Memorandum No. 227/(1) 111-15(5)/1949, dated May 6, 1949, the undersigned is directed to inform Shri Banwari Lal and Shri Raja Ram Gupta President and Secretary respectively of Shri Tantuva; Vaish Sabha, Shahjahanpur that Koris of the Shahjahanpur district have not been recorded as Scheduled Castes in the census papers and electoral rolls for village panchayats. They have been shown in the General Category.

Rohilkhand

Shri Banwarilal,
President,
Shri Tantuvaya Vaish Sabha,
Roshanganj,
Shahjahanpur.

No. 4096(1)/111-15(5)/1949.

Copy forwarded for information to the District Magistrat Shahjahanpur, with reference to his letter No. 1176/vii-(46-48), date June, 7, 1949.

93

By order,
(Kehar Singh)
Deputy Secretary.

DEPARTMENT/OFFICE.

File No.

Serial No. 32

Draft Letter ~~xxxxxxxxxx~~ / ~~Telegram~~

S. No. 95 Dated 29th Dec. '49.

No. F. 28/49-C

1. Date of despatch.
2. List of enclosures.

PUC I

/58 re 29/XII

Issue No 32 Pub 29/12

The Additional Secretary to the
Government of Orissa,
Home Department,
Cuttack.

Sir,

With reference to your letter No. 915/Reforms dated the 19th December, 1949, addressed to the Joint Secretary to the Constituent Assembly of India, on the subject of the notification to be issued by the President under Article 341 of the Constitution regarding Scheduled Castes, I am directed to state that the Government of Orissa has already been addressed in the matter in this Ministry's letter of even number dated the 19th December, 1949, and the receipt of complete and up to date lists of Scheduled Castes and Scheduled Tribes pertaining to the Province of Orissa are awaited.

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Yours faithfully,
28/12
J. S.

DEPARTMENT/OFFICE.

(33)

Draft Letter ~~xxxxxxxx~~ / ~~xxxxx~~ S. No. 1D. File No. / Serial No.

1. Date of despatch

2. List of enclosures

No. F. 28/49-C Dated 29th December, 1949.

The Chief Secretary to the Government of

(1) the U.P.,
Lucknow.
(2) West Bengal,
Calcutta.

Sir,

I am directed to enclose a copy of a letter addressed by Shri Bhagwat Prasad, M.C.A., to the Constituent Assembly of India, and forwarded to this Ministry, suggesting the inclusion of 'Dusadhs' in the list of Scheduled Castes pertaining to your Province. I am to suggest that the proposal contained in the letter may be examined by the Provincial Government in connection with the preparation of the list of Scheduled Castes for the purpose of the Order by the President referred to in this Ministry's letter No. F. 28/49-C dated the 19th December, 1949.

Yours faithfully,

J.S.

P. I/C

Issue 28/XII

Issue No 324 Dt. 29/12

Copy forwarded to:

(1) Shri Bhagwat Prasad,
Member, Constituent Assembly of India,
~~& Member, Bihar Legislative Assembly,~~
~~P A T N A.~~

(2) The Chief Secretary to
the Govt. of Bihar,
P A T N A

for information.

97

S. 5 (Large).
MFP—378 S&P—6 767—(M-869)—11-9-45—150,000 Pads.

DEPARTMENT/OFFICE.

File No.

Serial No. S. [illegible]

Draft Letter / Memorandum / Telegram

No. 28/49-C. Dated 29th Dec., 1949.

1. Date of despatch.
2. List of enclosures.

To

The Secretary,
A.I. Tantuvaya Vaish Mahasabha,
Sobha-Sadan,
Adarshnagar,
AJMER.

Dear Sir,

Please refer to your letter dated the 7th December, 1949, addressed to the Hon'ble the Prime Minister, seeking the exclusion of the "Tantuvai Vaishya" community from the lists of Scheduled Castes pertaining to certain Provinces and States.

2. Under Article 341 of the Constitution of India, the President has to issue a notification specifying the castes to be treated as Scheduled Castes in the States mentioned in Parts A and B of the First Schedule thereto,

in consultation with the Governor or the Rajpramukh, as the case may be. Action is now being taken in this regard, and I am, therefore, to suggest that you may address the Provinces, States and Unions concerned, placing before them the facts of the matter for examination.

Yours faibhfully,

~~Sgd~~ J.S.

~~Copy forwarded, for information, to~~

~~Shri Bhagwat Prasad,~~
~~Member, C.P. of India~~ & Member, Bihar Legislative Assembly, ~~Patna~~.

~~S-5 (Secret)~~

MFP—326 S&P—6767-A—(M-609)—26-7-46—200,000 Pads.

Dy. No. 474/49-C. dated 24/12/48

(36)

S. No. 12.

J. S. (M. Mookerjee) To 23/12

The Hon'ble the President,
Constituent Assembly of India,
New Delhi.

N. R.

Dear Sir,

I beg to submit the following for your kind consideration :-

1. 'Dusadhs' are recognized as one of the scheduled castes in the province of Bihar. Their number in this province is about 13 lacs. This particular caste is mainly found in this province only. In the two neighbouring provinces, viz: the United Provinces and the West Bengal also this caste is found, but only in the frontier districts which are on the border of this province. The social, economic, educational and cultural condition of this caste is very low and backward, and that is why it has been included in the list of scheduled castes. The privileges and facilities provided for the advancement of the scheduled castes have gone a long way towards improving the lot of the Dusadhs in this province. But I am sorry to have to mention that due to some mistake somewhere, this caste in the U. P., where its strength is about ninety thousand, and in West Bengal, with a population of about a lac, was not enumerated in the list of scheduled castes, with the unhappy and unfortunate result that they are lagging far behind their brethren in Bihar in every sphere. I had an opportunity of studying their condition personally at first-hand, and I found that because of this exclusion they had been deprived of the benefit of all ameliorative measures.

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2. In the best interest of society in general and scheduled castes in particular, I would like to request you to rectify this mistake made by the British Government so that Dusadhs inhabiting the U. P. and West Bengal may be

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may be included in their respective provinces in the list of scheduled castes and may receive the privileges and facilities provided for other scheduled castes in these two provinces. So far as I am concerned, I am convinced that the Dusadhs both in the U. P. and West Bengal fully satisfy all the criteria for inclusion in the list of scheduled castes, and it will be remedying a great wrong if they are now included.

3. I hope that now that this omission has been drawn to your attention, this mistake will be put right and that the Dusadhs both in the U. P. and West Bengal will be included in the list of scheduled castes.

Yours faithfully,

Bhagwat Prasad
14/12/49

PATNA,
December 14, 1949.

(Bhagwat Prasad),
Member, Constituent Assembly of India;
Member, Bihar Legislative Assembly.

Copy forwarded to

The Hon'ble Dr. B. R. Ambedkar,
Minister for Law, Government of India, New Delhi,

for information.

Bhagwat Prasad
14/12/49
(Bhagwat Prasad).

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IMMEDIATE.

No.17053-PG-49/7. S.No.13

38

From

M.R.Sachdev, Esquire, I.C.S.
Chief Secretary to Govt., East Punjab.

To

The Joint Secretary to the Govt., of India,
Ministry of Law, New Delhi.

Dated Simla-2, the 3rd January, 1950.

Subject:- "Scheduled Castes" and "Scheduled Tribes".

Sir,

With reference to your letter No.F.28/49-C, dated the 19th December, 1949, on the subject noted above, I am directed to enclose complete revised lists of "Scheduled Castes" and "Scheduled Tribes" in relation to the Province of East Punjab. As regards items (1) and (2) of paragraph 3 of your letter under reference, the East Punjab Government are of the view that -

(i) a member of a Scheduled Caste, if he has changed or subsequently changes his religion should continue to be treated as such, unless he intimates to Govt., that he does not want to be so treated, and

(ii) a person not professing the tribal religion should also be treated as a member of a Scheduled Tribe.

MINISTRY OF LAW
5 JAN 1950
File No.
Diary No. 24/1/50-C

Yours faithfully,

Under Secretary Political,
for Chief Secretary to Govt., East Punjab.

3.1.50

Bajaj
3/1/1950

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SCHEDULED CASTES.

EAST PUNJAB.

1. Ad-Dharmi
2. Bangali.
3. Barar.
4. Batwal.
5. Bawaria.
6. Bazigar.
7. Balmiki or Chura
8. Bhanjra.
9. Chamar.
10. Chanal.
11. Dagi.
12. Dhanak.
13. Dumna or Mahasha
14. Gagra.
15. Gandhila.
16. Kabirpanthi
17. Khatik
18. Kori or Koli
19. Marija or Marecha
20. Mazhabi
21. Megh
22. Nat
23. Od
24. Pasi
25. Perna
26. Pherera
27. Ravidasia or Ramdasia
28. Sanhal
29. Sansi
30. Sapela
31. Sarera
32. Sikligar
33. Sirkiband.

LIST OF SCHEDULED TRIBES
EAST PUNJAB.

1. [redacted] Tibetans in Spiti and Lahaul in the Kangra District.

S. No. 14

(40

GOVERNMENT OF ASSAM.

No. Ex/Misc/154/49/13, Shillong, the 4Q January, 1950.

To

The Joint Secretary to the Government of India,
Ministry of Law.

Subject:- SCHEDULED CASTES AND SCHEDULED TRIBES OF ASSAM.

S. 18/C

Sir,

I am desired to refer to the Ministry's letter No.F.28/49-C, dated 19-12-49, and to forward herewith two lists specifying the scheduled castes and scheduled tribes of Assam. The Government of Assam desire that the scheduled tribes should be shown separately, according to the regions where they live, as in the list enclosed herewith for

MINISTRY OF LAW
6 JAN 1950
File No.....
Diary No. 46/50-C

(a) Plains Districts,

(b) Autonomous Districts
(Part A of the table in para 20 of the Sixth Schedule of the Constitution).

and (c) Tribal Areas
(Part B of the table in para 20 of the Sixth Schedule of the Constitution).

As regards para 3 of the letter under reference, I am desired to communicate the views of this Government as under:-

(i) A person belonging to a scheduled caste ceases to be a Hindu on change of his religion. He should, therefore, not be entitled to the special safeguards provided for the scheduled castes in the Constitution, or be treated as a member of such scheduled caste for any purpose.

(ii) In regard to the tribal people, special safe-guards have been provided for them in the Constitution in view of their general backwardness, distinct ways of life, culture, etc., and the religion

practised .....

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practised by a tribesman cannot be the determining factor as to whether he should continue to be treated as a member of a scheduled tribe. A tribesman should, therefore, continue to be accorded the privileges provided for the tribe to which he belongs irrespective of his religion.

Yours faithfully,

Secretary to the Government of Assam.

....

LIST OF SCHEDULED CASTES

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ASSAM

1. Bania, or Brittial Bania.
2. Bansphor
3. Dhupi or Dhobi
4. Dugla, or Dholi
5. Hira
6. Jhalo and Malo
7. Kaibartta, or Jaliya.
8. Lalbegi
9. Mahara
10. Mali, or Bhuimali.
11. Mehter, or Bhangi
12. Muchi
13. Namasudra.
14. Patni
15. Sutradhar.

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LIST OF SCHEDULED TRIBES OF ASSAM

(43)

PLAINS Districts.	Autonomous Districts	Tribal Areas(Part B of table in para 20 of the Sixth Schedule.)
1. Boro - Borokachari	1. Dimasa(Kachari)	1. Abor
2. Deori	2. Garo	2. Aka
3. Hojai	3. Hajong	3. Apa Tanang
4. Kachari	4. Jaintia	4. Dafla
5. Lalung	5. Khasi	5. Galong
6. Mech	6. Any Kuki tribes	6. Khampti
7. Miri	7. Lakher	7. Mishmi
8. Rava	8. Any Lushai(Mizo) tribes.	8. Any Naga tribes.
	9. Mikir	9. Singpho
	10. Any Naga tribes	10. Momba
	11. Synteng	11. Sherdukpen

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(115)

No. 72-76B-II/49

GOVERNMENT OF THE CENTRAL PROVINCES AND BERAR,
General Administration Department.

From

~~S.No.15~~

Shri B.N. Kunte, I.A.S.,
Additional Secretary to Government,
Central Provinces and Berar.

Substituted by S. No. 34 + S. No. 38 Rp. 95+110/C

To

The Secretary to the Government of India,
Ministry of Law, New Delhi.

MINISTRY OF LAW
7 - JAN 1950
File No.
Diary No.
Mr. R
7/1

Dated Nagpur, the 6th January, 1950.

Subject:- Scheduled Castes and Scheduled Tribes in the Central Provinces and Berar.

Sir,

I am directed to refer to Shri Bhandarkar's letter No. F.28/49-C, dated the 19th December, 1949, and to enclose complete and up-to-date lists of Scheduled Castes and Scheduled Tribes pertaining to this Province including the merged States, in supersession of the lists of such castes and tribes sent to the Constituent Assembly with this Department letter No. 3499-3980-II, dated the 13th July, 1949 (so far as the Province excluding the merged States was concerned) and to the Ministry of States, with this Department letter No. 3397-CR-452-II, dated the 8th July, 1949 (so far as the merged States only were concerned). The lists have been framed with the greatest care and represent the Provincial Government's considered recommendations as to which Castes and Tribes should be treated as Scheduled Castes and Scheduled Tribes in the Province including the merged States, ~~the~~ after the 26th January, 1950.

2. A comparison of the present lists with those sent previously to the Constituent Assembly and the Ministry of States, will show that there are some changes in them. The changes have been made in pursuance of the recommendations of the Provincial Rural Development Board and on the consideration that certain tribes which were formerly deleted have been shown as Scheduled Tribes in the territories adjoining Jashpur and other merged States and their deletion by the Provincial Government would result in invidious distinction being made with ~~the~~ reference to one community between one State of the Union and another.

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3. The views of the Provincial Government on the points raised in paragraph 3 of Shri Bhandarkar's letter are given below seriatum :-

(1) If a member of a Scheduled caste has changed or subsequently changes his religion, he should not continue to be a member of the scheduled caste, as he would be ex-communicated by his caste

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caste, and will not be allowed to dine and inter-marry within the caste. Not only this, but in this province the change of religion brings about the change in his manners and customs. The High Court of this province has ruled that if a member of the scheduled caste changes his religion, he is governed by law of succession and inheritance according to the religion he accepts. All religions whether Hindu, Christian or Muslim, are advanced faiths carrying with them a bundle of customs and practices which no member of a scheduled caste or tribe follows. Such a member therefore, should not continue to be treated as a member of a scheduled caste.

(2) Similarly, a person not professing the tribal religion should not be treated as a member of a Scheduled Tribe for the reasons set forth under (1) above.

Yours faithfully,

B. Deshmukh

Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

Encl: 2 lists.

TTK.
6.1.50.

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LIST OF SCHEDULED TRIBES IN THE CENTRAL PROVINCES AND BERAR

1. Agaria (Asur and Patharia)
2. Andh
3. Baiga (Nahar, Narotia and Bharotia)
4. Banjara (Wanzara, Wanjari, Labhana)
5. Bhaina
6. Bharia-Bhumia (Bhuinhar-Bhumia)
7. Bhattra (Amnait)
8. Bhil (Naikar)
9. ~~Binjhwar~~ Bhunjia
10. Binjhwar.
11. Birhul (Birhor)
12. Chero (Kharwar or Khaiwar)
13. Chik (baraik)
14. Bhanwar.
15. Dhoba.
16. Dorla
17. Gadaba (Gadba)
18. Gond (Raj-Gond, Khatola, Bhoi, Ojha, Dhuru, Dhuruwa, Bhimma, Bhuta, Koila-bhuta, Gatta, Gatti, Koitar, Koya, Gaita, Nagarchi , Nagwansi, Mannewar, Arakh, Kisan, Kalanga).
19. Halba.
20. Kamar
21. Kawar(Kanwar, Kaur, Cherwa and Tanwar)
22. Kharia
23. Khond (Kandh, Kondh)
24. Kol
25. Kolam
26. Koli (Dhimar, Dhiwar, Kewat, Palewar and Bhanara).
27. Korku
28. Korwa.
29. Mahli
30. Manjhwar (Majhwar, Manjhi and Majhia).
31. Madia (Maria, Bison-horn, Hill, Badi, Bada, Chhota, Dandarai, Kuchaki, Mucha, Wade, Vade).
32. Munda.
33. Mudia (Raj-mudia, Muria).

See revised List on p111 infra

2.....

34. Nagasia (Nagesia, Nagbasia or Naksia)

35. Nihal (Kisan-Nihar and Khadia)

36. Oraon (Kisan and Dhangad)

37. Pando

38. Panka

39. Pardhan

40. Pardhi

41. Parja

42. Pub (Pabia)

43. Saunta

44. Sawar (Sawara and Kisan)

45. Waddar.

Since removed

The three tribes, namely Banjara, Pardhi and Waddar have been added to the list of scheduled tribes as per resolution and recommendation of the Provincial Rural Development Board and the tribe Panka which was previously included in the list of scheduled castes has been included in the list of scheduled tribes now, as per resolution and recommendation of the same Board.

B. Zamb.

Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

TTK.
6.1.50.

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LIST OF SCHEDULED CASTES IN THE CENTRAL PROVINCES AND BERAR.

(48)

1. Audhelia
2. Basor or Burud (Kandra)
3. Bahna (bahana)
4. Balahi (Balai)
5. Bedar
6. Chadar
7. Chamar
8. Dahait (Dahayat)
9. Dewar
10. Dhanuk
11. Dholi-Dhulia
12. Dom
13. Doher
14. Ganda
15. Ghasi or Ghasia
16. Holiya
17. Jangam
18. Kaikadi
19. Katia
20. Khangar
21. Khatik
22. Kori
23. Kadgi
24. Mahar or Mehra
25. Mang
26. Mehtar or Bhangi
27. Mochi
28. Rujjhar
29. Satnami
30. Turi

See revised list on p 112 infra

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Additional Secretary to Government,
Central Provinces and Berar,
General Administration.

DEPARTMENT/OFFICE.

File No.

Serial No.

48a)

Draft ~~Letter~~ ~~Memorandum~~ Telegram S. No. 15

No. F. 28/49-C. Dated

Telegram / State / Express.

To

Chief Secretary

.X.

(Of Scheduled Casts and Scheduled Tribes)

Please expedite lists requested in letter even number dated December nineteenth

Law.

Post copy in confirmation

J. S.

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1. Date of despatch. 7/
2. List of enclosures. 4/50.

Order No. 342

.X. ~~Bihar~~
Bombay
~~C.P. + Berar~~
Madras ✓
Orissa
U. P. ✓
West Bengal ✓
Hyderabad
Madhya Bharat ✓
Mysore ✓
P.E.P.S.U.
Rajasthan ✓
Saurashtra
Travancore-Cochin
~~Vindhya Pradesh~~

Pp. 1, 9+ 16, 17/C

S. No. 16.

49

Brief translation of letter No.734/V-85 dated 16.12.49 from Shri Tarkeshwar Pandey, President, District Board, Balia.

This is a representation for the inclusion of the "Dusadh" community in the list of Scheduled Castes pertaining to the United Provinces.

Copy of correspondence with the Govt. of the U.P. and Shri A.V. Thakkar is attached.

प्रेषक,

श्री लारकेश्वर पांडे,
अध्यक्ष, जिला बोर्ड,
बलिया।

सेवा में,

श्री माननीय श्री डा० राजेन्द्र प्रसाद जी,
अध्यक्ष, विधान परिषद,
दिल्ली।

संख्या 734/V-05 बलिया, दिनांक 16-12-49 १९४

विषय

महोदय,

आपकी सेवा में नम्र निवेदन है, कि युक्त प्रान्त में दुसाध जाति सदा से अछूतों के श्रेणी में थी। बलिया जिले में तो सर्वत्र अब तक दुसाधों के साथ अछूत जैसा ही व्यवहार होता है, किन्तु १९३६ से किसी कारण वश इस जाति का नाम अछूतों की सूची में छूट गया है। इस कारण जो सुविधायें सरकार द्वारा अछूतों को दी जा रही है, उससे यह जाति वंचित रहती है। इससे इसका उत्थान नहीं हो रहा है। विपरीत इसके बिहार व बंगाल में इनकी गणना अछूतों में है और वहां उनको सरकार द्वारा हर प्रकार की सुविधा सुलभ है। वहां इनमें शिक्षा का प्रसार उत्तरोत्तर बढ़ रहा है, कितनों की व्यवस्थापिका तथा धारा सभाओं में स्थान मिला है कितने सरकारी नौकरियों मे छोटे से बड़े स्थान प्राप्त किये हैं। वहां पर उनको अपने जीवन को ऊंचा बनाने का पर्याप्त साधन उपलब्ध है पर यहां पर इनके जीवन स्तर को ऊंचा करने का कोई साधन सरकार द्वारा प्राप्त नहीं हो रहा है, इससे इनकी सामाजिक तथा नैतिक दशा दयनीय हो रही है।

इस विचार से कि इस जाति की भी सामाजिक अवस्था का सुधार हो बोर्ड ने अपने प्रस्ताव संख्या ६८ दिनांक २९.५.४८ द्वारा प्रान्तीय सरकार से प्रार्थना किया कि इन्हें अछूतों की सूची में रक्खा जाय, प्रतिलिपि संलग्न है, पर सरकार ने इसे स्वीकार नहीं किया। इस पर बोर्ड ने पुनः प्रान्तीय सरकार से आग्रह पूर्वक निवेदन किया, किन्तु सरकार ने फिर भी बोर्ड की प्रार्थना अस्वीकृत कर दिया। इसके बाद माननीय प्रधान मंत्री, युक्त प्रान्तीय सरकार के नाम पूरा विवरण दिया गया। अभी तक उनके उत्तर की प्रतीक्षा की जा रही है।

(51)

इसके साथ ही पूरी विवरण के साथ पूज्य ठक्कर बापा को भी लिखा कि आप इसके बारे में प्रान्तीय सरकार से लिखा पढी करें । उन्हों ने तुरन्त इस मामले के अनुसन्धान हेतु श्री रामा शंकर मिश्र जी को नियुक्त किया । उक्त मिश्र जी ने यहां आकर स्वतंत्र रूप से इस जिले के अन्दर घूम घूम कर जांच किया तथा कतिपय प्रतिष्ठित व्यक्तियों की साक्षी लिया । वे इस निष्कर्ष पर पहुंचे कि बलिया में दुसाध जाति वास्तव में अछूत है, इन्हें अछूतों की श्रेणी गिनना चाहिये ।

श्री पूज्य ई० वी० ठक्कर बाबा ने माननीय श्री गोविन्द बल्लभ पन्त प्रधान मंत्री को उपरोक्त सारी बातों को लिखकर उनका ध्यान आकृष्ट करा कराया कि दुसाध जाति को अछूतों की सूची में सम्मिलित करके उनको ऊपर उठने का अवसर दीजिये । प्रतिलिपि संलग्न है ।

श्रीपन्तजी महोदय का इस सम्बन्ध में श्री ठक्कर बापा जैसा पत्र प्राप्त हुआ है उसकी प्रतिलिपि संलग्न है। फै. 12/12/50

अभी तक प्रान्तीय सरकार का कोई निर्णय प्राप्त नहीं हुआ है । ऐसी दशा में आपसे मेरा साग्रह अनुरोध है, कि दुसाध जाति को अछूतों की सूची में लाने का शीघ्राति शीघ्र प्रयत्न करें ताकि इनकी दुरवस्था का अन्त हो और अन्य परिगणित जातियों की भांति इन्हें भी सरकार द्वारा प्रदत्त सुविधायें सुलभ हो सकें ।

आपका विश्वास पात्र,

(ताड़केश्वर पांडे)
अध्यक्ष, जिला कोर्ड,

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(52

प्रतिलिपि प्रस्ताव संख्या ६८ दिनांक २६.५.४८ ।

श्री सहजानन्द सिंहजी, सदस्य डि० बोर्ड का प्रस्ताव कि दुसाध जाति को अकूतों की सूची में सम्मिलित कर लिया जाय ।

स्वीकृत । गवर्न्मेन्ट को लिखा जाय ।

प्रतिलिपि,

२५।५।३०

(श्याम सुन्दर उपाध्याय)
मंत्री, जिला बोर्ड,
बलिया

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(5)

Copy of letter no. 6018 dated 22nd September, 1949 from Shri A.V. Thakkar, Secretary, Harijan Sevak Sangh Kingsway, Delhi to the Hon'ble Shri Govind Ballav Pant Premier of the United Provinces, Lucknow.

Reference:- Classification of Dusadh Community of the Ballia District of the United Provinces as Harijans.

I invite the reference to my letter to you dated Delhi the 2nd September, 1949 and your reply to the same dated Lucknow the 4th September. In ~~reply~~ your letter to me you were kind enough to say that there was no objection to an enquiry being made by the Harijan Sevak Sangh as to whether Dushadhs were Harijans or not.

Thereafter I deputed Shri Rama Shankar Misra, Secretary of the U.P. Branch of the Harijan Sevak Sangh to enquire into the matter. His report is received by me under his letter dated 17th inst. After reading his report I am really supprised to find that the result of Shri Misra's enquiry was contrary to that of the Banaras Commissioner I send you a copy of Shri Misra's full report herewith for your information and study. Shri Misra is a very reliable worker and I do not believe that his enquiry is less authoritative than that of the Banaras Commissioner. In Shri Misra's report I see the following statements which are rather startling:-

1. A Chamar himself regards a Dushadh as untoughable and does not take water touched by him nor do they exchange Hukkah amongst themselves.

2. A Dusadh in Ballia district is as depressed as a Chamar or Khatik or a Pasi. In fact, the villageers told me that the words Chamar and Dusadh are synonyms.

3. The Common saying in the District is that the touch of a Chamar pollutes the shin but the touch of a dusadh pollutas the very bone. 137

4. Most of the Chaukidars in the District are Dusadh.

5. Five ~~Five~~ teachers of the District Board viz. (1) Kapurchand Ram (2) Shyama Ram (3) Shripatram (4) Bhuvneshwar Ram and (5) Ramdas Ram who were running the Depressed Classes school of the District Board have been dismissed on the ground that they were not Harijans.

6. The number of Dusadh children has completely gone down as they are no longer entitled to any help provided by the Government for the depressed ~~chalses~~. classes.

7. It ~~means~~ therefore very surprising that the Commissioner of Banaras Division become so oblivious of the fact that he mis-reported the whole matter to the Government who have issued a G.O. to the detriment of the community.

In view of this very strong and very reliable report or Shri Misra I am firmly of the opinion that Dusadhs on Ballia district is a depressed community or Harijans and entitled to the benefits of scheduled Castes I hope you will see your way to reverse the policy of the Government in this connection. I am sure you will ready Shri R.S. Misra and forward the same to the Hon'ble Minister in charge of Harijan welfare for his personal enquiry, if necessary.

Thanking you,

True copy,

(S.S.Upadhyaya)
Secretary,
District Board, Ballia.

(55

C O P Y.

Dusadhs of the Ballia District in the U.P.

The Government of the United Provinces have by their G.O. (of the General Administration Department) No. 5062/III-23(1)/1946 dated January 10, 1949 declared that the Dusadhs of the Ballia district are not to be treated as scheduled and they are not entitled to the benefits of the various benevolent measures taken by our Government for the amelioration of the social and economic conditions of the Harijans. Whatever the reas-ons they Government may have for doing so but I feel they are wholly unjustified in deciding upon the non-inclusion of the Dusadhs in the list of the scheduled classes. Under instructions from Thakkar Bapa I toured the district of Ballia for two days. i.e. the 14th and the 15th of September, 1949 and visited a large number of Dusadhs. During the course of my tour a large number of persons came forward to give their statements and several of them expressed surprise at the fact that Government were so oblivious of this universal trouth that the Dusadh in the Ballia District is as depressed as the chamar or Khatik or Pasi. In fact the villagers told me that in some places the words chamar and Dusadh were interchangeable and in somce places they implied the same thing. Any person who resented an offensive remark from another fellow would say," Hamani Ka Dusadh Chamar hain ka? Are we Dusadh Chamar? implying that the are we so weak and depressed as the Dusadh or Chamar. I cantracted hundreds of persons including high caste. Hindus, Dusadhs and other Harijans and the Muslims, men and women fairly representing conditions of life of all communities in the locality including the Dusadhs. I recorded 57 statements and visited 6 villages and detailed enquiries were made from all in the village. List of witnesses whose statement has been recorded and the names of the villages visited Tahsilwise is attached herewith.

* villages in the various Tahsils to study the social and economic condition of the

All the witnesses including those whose statements were recorded said that Dusadhs are untoughables. No body will take water touched by a Dusadh. Not only the high caste Hindu but even other Harijans and Muslims all treat the Dusadhs as untouchables. They are not allowed the use of public wells in the village. A well is set apart for them like the one for Chamars. The Chamars himself regards a Dusadh as an untouchable and does not take water touched by him; nor do they exchange hookah amongst themselves. In fact unrouchability of a Dusadh is in a measure greater than that of a chamar, for the common saying in the District is that the touch of a Chamar pollutes the shin but the touch of the Dusadh pollutes the very bones. The Muclims cosider the Dusadhs the most degraded because they keep swine. If the Dusadh be standing on the jagat of a well no high caste Hindu will take out water from the well.

Economically the Dusadh is like the chamar and is akmost a landless labour in the District. He gets the customary wages in kind on the locality and supplements his meagre income by keeping swine. Most of the Chauki-dars in the district are Dusadhs.

The Dusadhs are well build in body and claim to have a fort in village Majhi, the last village in Ballia district on Bihar border. The B.K.T.K. has a station in the village. The Dusadhs of this area are reported to be of criminal tendency, They report to looting of cargoes borne by the country boats between Shahabad and Ballia upto Patna. They have become the terror of the boatmen. There are large concentrations

concentrations of Dusadhs in villages Bhaker, Rewti Gayaghat Mathia, Narainganj Suraimanpur Madhobani Hatapur, Durjanpur and Himmantpur and are scattered mostly in Bansgaon and Ballia Tahsils. There are few scattered families in Rasra Tahsil. I personally visited the Middhi Shankapur and Piparpanti villages in Ballia Tahsil and Jaintipur, Sahodih and Sahpurawa villages in Bansdih Tahsil. The opinion of the district is unanimous that the Dusadhs are untouchables in every respect. They are not allowed to enter a temple or the courtyard of the High caste Hindu. The dhobi is allowed to enter the courtyard but not the dusadh.

Sukhi Dusadh of village Jayantipur Tahsil Bansdih is a man of seventy. He looked very cheerful and energetic for this age. He had a very interesting talk with me, which I summarise below as faithfully as I can.

" No body takes water touched by a Dusadh. I own three bighas of land. My nephew is a chaukidar gets Rs five per month. I have two cows. I am very fond of them". Asked if he would like to be a KSHATRIYA he resented the idea and said rather bluntly "God has made me low, you can not change me into a higher caste, by writing on a paper."

In the whole district of Ballia there is only one Dusadh who holds the highest position of being a teacher in a Hindustani Middle school run by the District Board. His name is Hira Ram and he comes from village Banjaha in tahsil Ballia. He gets a salary of Rs forty per month and has a wife and two children. At the end of our conversation he (Hira Ram took me aside and whispered," Please help me in getting a scholarship from the Harijan Sevak Sangh for my son Chandrika Ram who is a student of class IX in the local high school. I am unable to tontinue his studies because of financial difficul-ties. I get Rs forty per month but cannot make both ends meet. My wife cannot go to the field and work as a daily wager. She is now the wife of a teacher How can she work in the fields. It is obvious that nintynine percent people in the Dusadh community are not as fortunate as Hira Ram. It is a travesty of truth to call these Dusadhs financially better off. Even if a community if finacially better off the caste stigma persists.

It is curious that inspite of these unchallen-gable facts the Government have considered fit to exclude the Dusadh Community from the list of the Scheduled classes. The leaders of the community have passed resolutions demanding the inclusion of the Dusadhs in Scheduled Classes.

The All India Dusadh Conference held on Feb., 1946 at Patna passed a resolution to this effect. Another resolution was passed at Dumraon Thana Dusadh Cinference on Feb.,kand 1 and 2, 1947 to the same effect. The Ballia District Dusadh Conference held at Sahatwar on Jan., 11 and 12, '47 reiteratad the demand for the inclusion of the Dusadhs in the Scheduled list. The U.P. Dusadhs Sabha held at Tarighat in Ghazipur district on 15th and 16th May 1947 emphasized the same fact. Copy of the resolution of the Ballia district Dusadh conference

was sent to His Excellency the Viceroy and the Governor General of India. It seems therefore very surprising that the Commissioner of the Banaras Division became so oblivious of the fact that he misreported the whole matter to the Government who have issued a G.O. to the detriment of the community. Dusadhs want to be put on the list. The Hindu community treats the Dusadhs as untouchables and still the Government feel that they must exclude the Dusadhs. The G.O.has adversely affected the community. Five teachers of the District Board namely Kaoor Chand Ram, Shyama Ram, Shri Pati Ram, Bhuneshwar Ram and Ram Das Ram who were running the depressed class schools of the District Board have been dismissed on the ground that they were not Harijan. The number of Dusadh children has completely gone down as they are no longer entitled to any help provided by the Government for the Depressed classes. It is therefore neceesary to cancel this G.O. and issue a new one which will have some relation to fact.

Sd:/ R.S.Misra,
U.P.Board of the
Harijan Sevak Sangh.

10A Muir Road,
Allahabad.
17.9.49.

True copy,

(S.S.Upadhyaya)
Secretary,
District Board,
Ballia.

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List of witnesses whose statements have been recorded.

1. Thakur Shiv Vadan Singh, Head Master village Saifpur District Banaras.
2. Mr. Asfand Yar aged 53, Retired Suptd, Police village Dharaon Tahsil Chaundauli District Banaras.
3. Shri Rama Nand Singh Permanent Way Inspector, O.T.R.
4. Pt. Tarkeshwar Pande, President District Board, Ballia
5. Mr. H.A.Siddiqi, District Magistrate, Ballia.
6. B. Murli Manohar, Pd, Advocate and Chairman, M.B.Balli
7. Pt. Shyam Sundar Upadhyaya, Secretary, District Board
8. Th. Mandhata Singh, President, District Congress Comm.
9. Pt. Ram Nath Pathak, B.A.LL.B., village Murarpatti Rahsil, Ballia.
10. Th. Jawahir Singh, Chairman, T.A.Maniar, Tahsil Bansdi
11. B. Kedar Nath Sinha, President Town Higher Secondary School, Ballia. Bajidtpur Sadar
12. Th. Kanaihya Singh, Member P.C.C.
13. Ram Govind Prasad, Member D.B., Satani Sarai, Ballia
14. Th. Suraj Pd. Singh Member, P.C.C.,& D.C.C. Reoti
15. Th. Shital Pd. Singh Member D.B., Batha Asana Tahsil Bansdih.
16. Pt. Raj Nath Chaube, Advocate, Leader Hindu Mahasabha
17. Th. Hita Narain Singh, Vakil.
18. Pt. Ram Lachhan Tiwari Leader of the Socialist Party
19. Shri Vishwa Nath Lal. Member PCC.
20. Ram Pachisa Lal Patwari village Imritpali Tahsil Ball
21. Moti Dusadh of Midhi 60 years.
22. Ram Narain Dusah Midhi 26 years.
23. Chilari village shankaerpur 40 years dusadh.
24. Binda Ahir village Do. 30 years.
25. Shiv Bachan Tiwari village Shankerpur 54 years.
26. Dhuna Chaube Piparpanti
27. Ram Swarup Tiwari village Shankaerpur.
28. Kapildeo Pande Headmaster Primary School Shankerpur
29. Sukhi Dusadh aged 70 years village Jayantipur, Tahsil, Bansdih.
30. Sheo Pujan Keori, Adalti Sarpanch of Sahodih
31. Suraj Bali of Sahodih
32. Ram Autar Singh, Ahir of Sahpurwa.
33. Misri Chamar of Sahpurwa.
34. Ram Mant Chaudhri, Sabhapati Gram Panchayat Sahpurwa
35. Th. Gopal Sharan Singh M.B.B., Ballia.
36. Pt. Ram Anant Pande, Chairman, District Development Board, Ballia.
37. Shri Ram Raj Bahelia Ex. Member D.B., Ballia Bhagwanp
38. Shri Avadh Bihari Lal Bathur Magistrate Ist class & District Panchayat Officer & Secy. Harijan S.S.
39. Th. Suraj Nath Singh, Ex. M.L.A.
40. Shri Hira Ram Dusadh Village Bajaha.
41. B.Shiv Ram Pd. Secretary Civil Bar Association, Ballia
42. Pt. Onkar Nath Singh Vakil J.Secry. " " "
43. Shri Tarkeshwar Nath Vakil.
44. Shri Bindhbasani Pd. Vakil.
45. Shri Ranjeet Prasad Singh, Vakil.
46. Pt. Ram Udit Upadhyaya Principal J.S. C. Ballia.
47. B.Sheo Darshan Singh President Criminal Bar. Ass.
48. Th. Vishwa Nath Singh Sardaspur Tahsil Rasra.
49. Th. Sahaja Nand Singh Zamindar Ratasand Ex. Chairman
50. Shri Ram Ratan Singh, Chamar, Vice Chairman, D.B.,
51. Shri Daya Need Ram Dusadh Student Inter Final Village Dudhyakalan Tahsil Ballia.
52. Th. Vindyachal Singh Secy. Mandal Cong. Comm Rasra.
53. Ram Dahin Rai, village Lachhumanpur Tahsil Ballia.
54. Shri Bashool Khan Village Sikaria Rasra.
55. Shri Suresh Singh V. Nagara Tahsil Rasra M.D.B.,
56. Shri Girdhari Ram Dusadh V. Chaubepur.

Sd./ R.S.Misra,
Secretary,
U.P.Board of the Harijan Sevak Sang

True copy
S. S. Upadhyaya
Secretary D.B. Ballia.

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Copy of letter no. 740 dated November 27, 1949 from Hon'ble Premier, United Provinces to Shri A.V.Thakkar, General Secretary Harijan Sevak Sangh Kingsway, Delhi and a copy to the President, District Board Ballia.

I am writing this to you in continuation of my letter of 3rd October. I have gone into the question and find that Dusahdhs do not enjoy a better status than Chamars and other such classes which are socially and economically backward. I am accordingly recommending to the Government of India that they should be included in the list of Scheduled Castes.

With kind regards,

True copy,

(S.S.Upadhyaya)
Secretary,
District Board,
Ballia.

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DEPARTMENT/OFFICE.

File No.
Serial No.

P-62a

Draft Letter / Memorandum / Telegram

No. 28/49-C. Dated 13th Jan., 1950.

1. Date of despatch.
2. List of enclosures.

To

Shri Tarkeshwar Pandey,
President, Dt. Board,
Balia

Dear Sir,

I am desired to acknowledge the receipt of your letter dated the 16th Dec., 1949, to the Hon'ble the President, Constituent Assembly of India, regarding the inclusion of "Dupadhi" in the list of Scheduled Castes pertaining to the United Provinces, which has been forwarded to this

PUC.

Issue 14/1

Issue No 353
13/1

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Thursday for dis-
posal.

The matter is
receiving attention

yours faithfully,

J. S.

6-5 (Small)

MFP—326 S&P—6757-A—(M-609)—20-7-46—200,000 Pads.

Key No. 104/S.C. dated 11/1

No. 205 A.

(71)

GOVERNMENT OF BIHAR
APPOINTMENT DEPARTMENT.

S. No. 26.

From

L.P. Singh, Esqr., I.C.S.,
Chief Secretary to Government.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.

Dated Patna, the 9th January, 1950.

Subject:- Article 244(1) and the Fifth Schedule to the Constitution of India - Scheduled Areas.

Sir,

I am directed to invite a reference to Mr. Fateh Singh's letter no. 51/407/49-Pub., dated the 19th December, 1949 on the above subject, and to reply as follows.

2. In the Table attached to Part V of the Fifth Schedule to the Draft Constitution, the Ranchi and the Singhbhum districts, the Latehar subdivision of the Palamau district, and the Santal Parganas district, excluding the Godda and Deoghar subdivisions, were shown as Scheduled Areas in this province. The Provincial Government recommend that, with the exception of the Dhalbhum subdivision of the Singhbhum district, the same areas may be declared as Scheduled Areas under para 6 of Part C of the Fifth Schedule to the Constitution of India. The exclusion of the Dhalbhum subdivision is recommended, because out of a total population of 5,33,402 (according to the census of 1941) the tribal population is only 2,26,579, i.e. less than 43 per cent of the total population. If only the population of the tribes proposed to be declared as Scheduled Tribes is taken into consideration, the proportion will be even lower. Besides, as a result of contacts with modern industries at and around Jamshedpur, the tribal population in this subdivision is in some respects rather less backward than the tribal population in several other parts of the province. In the circumstances, there is, in the opinion of the Provincial Government, no

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justification for declaring the Dhalbhum subdivision as a Scheduled Area for the purposes of the Constitution.

3. The only two States that have been merged in the province of Bihar are Saraikella and Kharsawan. Both have large tribal populations, but as they now form part of the district of Singhbhum which, with the exception of the Dhalbhum subdivision, is being recommended for being declared as Scheduled Area, there is no need to declare them as Scheduled Areas.

Yours faithfully,

Sd. L.P. Singh

Chief Secretary to Government.

Memo No. 205 A Patna, the 9th January, 1950.

Copy forwarded to K.Y.Bhandarkar, Esqr., Joint Secretary to the Government of India, Ministry of Law, New Delhi, for information.

Chief Secretary to Government.

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WF.No.72/50-C dated 7/1

No.D.44-H/50.

S. No. 27.

A copy of the undermentioned paper is forwarded to the Joint Secretary, Constituent Assembly Department, New Delhi, for information.

Deputy Secretary
to the Government of India.

Ministry of States,
New Delhi.
The 7 January 1950.

.....

Endorsement (with enclosures) from the Hyderabad Government No.3591/3/EC, dated the 4th January 1950.

Copy of letter No.3591/3/EC dated the 4th January 1950 from the Joint Secretary to Government of Hyderabad. H.E.H. the Nizam's Government, Hyderabad (Dn) to the Secretary, All India Dhiwar Mahasabha Gandhi Gunj, Subbzimandi, Juboulpore.

..

With reference to your letter No.190 dated the 6th December 1949 to the Hon'ble the Chief Minister regarding representation of the Dhiwar community in legislative bodies, I am directed to state that so far as Hyderabad State is concerned, Dhiwars have already been included amongst the scheduled tribes for purposes of reservation of seats for election to the Hyderabad Constituent Assembly.

2. As regards the inclusion of the community among the schedule castes or tribes under the Constitution of India it appears that your mention of section 292 refers to the Draft Constitution of India as prepared by the Drafting Committee and not to the Constitution of India as finally passed. The specification of scheduled castes and tribes has been provided for in Articles 341 and 342 of the Constitution of India and your application will be taken into consideration when action is taken under those Articles.

...

Letter No.190
6-12-49.

(75

To

The Primer,
Hyderabad Province, Secunderabad.

Subject: Recommandayion of the resolution of Inter Provincial Dhiwar Conference dated 5th and 6th June 1949.

Reference:- Our letter No. D/30.6.49.

I beg to submit the following behelf of the "DHIWAR SMAJ" for your kind consideration and proper action.

DHIWAR SAMAJ and others of that community known by different names to day consists of about 5 crors of people in India. The condition both financial and commercial is every day deteriorating. In the field of Education also the community has not shown any hopeful progress. The Dhiwar Samaj for the above reasons in its Inter Provincial Dhiwars Conference held at Jubbulpore on 5th and 6th June 1949 forwarded certain recommandations to the Government for the uplift of this community and made an appeal to the Provincial Governments to improve the condition of the people of this community . But to our great dispair no action has uptil now been taken.

When the contituent Assembly met me hopes that this body might take some hopeful stapes to improve the lot of this community. But we were surprised to find that the constituent Assembly by Section 292 (k) (kh) part 14 had kept no resurved seats for the minorities and by section 303 (b) has referred this community amogst Scheduled castes or Backward classes of deferent provinces. The result being that the whole community has been devided. It is clear that the whole constituent Assembly has copied the list from the act of 1936. The people of Dhiwar Samaj are not in any case prepared to accept this decision to devide them.

On 12.10.49 a Deputation of behalf of this Samaj met Hon: Dr. Ambedkar and represent their case . The Law Minister was satisfied and asked the deputation to forward this appear through the Provincial Government on whose recommendation above action can be taken in this matter.

I behelf of this Samaj therefore appear to the provincial Government to take necessary action 'steps to include the recommendations of the INTER PROVINCIAL DHIWARS CONFERENCE' forwarded to your honour on 30.6.49 (copy attached for ready reference).

I hope may I am sure the provincial Govt. would given urgent consideration to this problem which affects the life of five crores of its citizens in India and forwarded its recommandations to the Central Governement.

Yours faithfully,
Munshi Pritamlal

Secretary All India Dhiwar Maha Sabha,
Jubbulpore.

Sd/-

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The Inter provincial Dhiwar Sammalan were presided by (76
Messrs. Dhirajlalji Barmaiyan and Shri Nardeosinghji M.A. Kanpur, on 5th and 6th June 1949 respectively. Enthusiastic workers from different provinces attended this community conference their demand were political economical and social ones The method adopted to achieve this goal was leased on the doctrines of Sataya Ahimsa of Mahatma Gandhi.

The following are the few resolutions passed unanimously:-

1. Resolved that the Central and Provincial Government should reserved seats in the Constituent Assembly, Legislative and Local Bodies on the population basis of the Dhiwar Community.

2. Resolved that the Government should recognised and regard the Dhiwar Mallah Kewat Kaibart Jalia Koli Kahar Manjhi Bhoi Pathiwahak Nishad and such others as one community.

3. Resolved that the Government should give all fasilities with regard to education and employment specially in the Fisheries, Navy and Waterly cultivations such as produced on the Tank, Rivers and their valleys by the people of the community as occupancy wright.

4. Resoved that the Government should help this community by taking individuals in the Fisheries department and should not have the monopoly to disanheariten the person of these castes.

5. Resolved that this Sammalan recommands to strengthen to unit by introducing Inter Provincial Sub Caste and defferent Gotras marriages without hasitation and complexions etc.

6. Resolved that this Sammalan recommands to introduce 'SAHPHOJ' system throughout India for the strong foundation etc and others as per report.

Munshi Pritamlal Barmaiyan
Secretary Akhil Bhartiya Dhiwar Maha Sabha
Gandhiganj, Subjimandi Jubbulpore.

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S. No. 28/1

No. 47/XIII F. 1/Consus/49.

All communication to this Office should give the number, date and subject of any previous correspondence and should note the department.

From

Secretary to Government Chief Commissioner,
Vindhya Pradesh.

To

The Joint Secretary to the Govt. of India
Ministry of Law, New-Delhi.

Dated, Rewa. 7th January 1950

Subject:- Supply of lists of :-
(a) Scheduled castes &
(b) scheduled tribes.

B. 16/C

IMPORTANT
JAN 1950
70/50-C
Department.

JAN SUS

sir

I am directed to refer to the correspondence resting with your communication No.F. 28/49-c of 19.12.49 to the Chief Secretary Vindhya Pradesh and to intimate that the Chief Commissioner is of opinion that a member of the Scheduled caste or scheduled tribes should no more be entitled to his old privileges if he changes his religion.

The list of Scheduled castes and scheduled tribes in Vindhya Pradesh is as followings:-

SCHEDULED CASTES.

1. Basor(Bansphor), 2.Chamar, 3.Dom, 4.Domar or Doria, 5.Dharkar, 6.Kuchbandhia, 7.Lalbegi, 8.Mehtar or Bhangi or Dhamuk, 9.Muskhan, 10.Dahait, 11.Mochi & 12. Dher.

SCHEDULED TRIBES.

1.Baiga, 2.Panika, 3.Pao, 4.Agariya, 5.Bhuyiar, 6.Gond, 7.Khairwaar, 8.Majhi(Kewat, Mallah, Bhoi, Dhimar) 9.Paliha, 10.Pathar, 11.Ghasiya, 12.Kanjar, 13.Kamar, 14.Bahela, 15.Hela, 16.Bhumaa, 17.Mawasi, 18.Bhil, 19.Bedia, 20.Biar(Bayar), 21.Sonr and 22.Kondar.

Yours faithfully.

7.1.50

secretary to Chief Commissio
Vindhya Pradesh, REWA ner,

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No. 120 - Cord. Dated. 9th Jan. 1950.

S. No. 30.

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From

The Chief Secretary to Madhya Bharat Government.

To

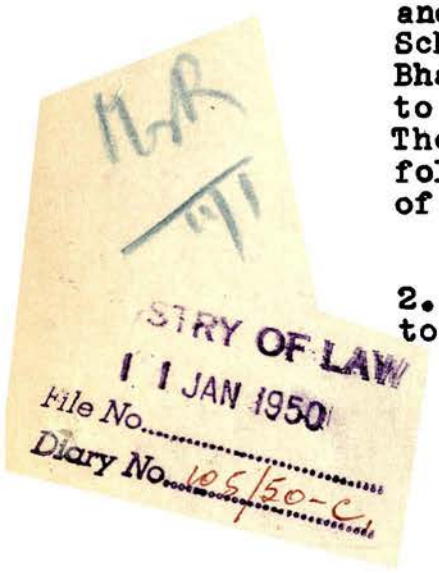
The Secretary to the Government of India,
Ministry of Law, New Delhi.

Gwalior, January 7, 1950.

P. 16/C

Sir,

I am directed by His Highness the Raj Pramukh to refer to your letter No. F.28/49-C dated December 19,1949, and to forward herewith lists of Scheduled Castes and Scheduled Tribes pertaining to the United State of Madhya Bharat for the purpose of inclusion in the Notifications to be issued under Sections 341 and 342 of the Constitution. These lists have been drawn up on the basis of the criteria followed in the classification of castes for the purposes of the 1931 and 1941 census.



2. As regards para 3 of the letter under reply, I am to observe that in the view of this Government,

(a) a member of the Scheduled Castes, who has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste; and

(b) a person, who does not profess the tribal religion but is a member of the Tribe, should also be treated as a member of the Scheduled Tribe in question.

Yours faithfully,

(K. B. Lall)
Chief Secretary to Madhya Bharat Govt.

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(80)

Lists of castes declared to be "Scheduled Castes" for the purposes of Dominion Parliament Electoral Rolls.

1. Koli
2. Khatik
3. Chamar
4. Chidar
5. Dhanuk
6. Barahar (Basod)
7. Balai
8. Bagri (Bagdi)
9. Bhangi (Mehtar)
10. Banjara
11. Bargunda
12. Bedia
13. Bhambi
14. Kanjar
15. Mahar
16. Mochi

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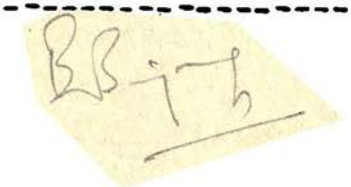
17. Moghia
18. Nat
19. Pardhi
20. Pasi
21. Sansi

P.T.O.

22. Mirdhas

23. Khangars.



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List of tribes declared to be " Schedule-d Tribes "

for the purpose of Dominion Parliament Electoral Rolls. ✓

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1. Bhil (including all sub-castes)
2. Bhilala
3. Gond
4. Seharia
5. Korku.

Express delivery

No. 9456/III- 15(15)/1949.

From S. No. 31.

Shri K.P. Bhargava,
Secretary to Government,
United Provinces.

MINISTRY OF LAW
9 JAN 1950
File No.
Diary No. 71/50-C

The Joint Secretary to the Government of India,
Ministry of Law,
New Delhi 3.

General Administration Department. Dated Lucknow, January 7 ,1950.

Sir,

With reference to your letter No. F.28/49-C, dated the 19th December, 1949, I am directed to say that the Provincial Government recommend that the 64 castes mentioned in the list enclosed to this letter as Appendix A may be declared as the Scheduled Castes in relation to the United Provinces. It will be noted that all the 59 castes mentioned in the list of Scheduled Castes prepared by the Constituent Assembly Secretariat have been duly included in Appendix A. Five more castes have been added to that list. These are :

(1) Baiga, (2) Baiswar, (3) Bhoksa, (4) Dusadh, and (5) Gond.

2. So far as the list of Scheduled Tribes is concerned, this Government strongly hold the opinion that there should be no Scheduled Area in the United Provinces. On a reference received from the Government of India, Ministry of Home Affairs, the Provincial Government have made a recommendation to that effect and given reasons in full in support of their recommendation. In brief, the position about these 10 Scheduled Tribes is that the Draft Constitution of India proposed that there should be two Scheduled Areas in the United Provinces, namely -

(1) Jaunsar-Bawar Pargana of the Dehra Dun district, and

(2) the portion of the Mirzapur district, south of the Kaimur Range.

P.T.O.

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None of these tribes resides in the Jaunsar-Bawar Pargana of the Dehra Dun district. But Bhuiya, Baiswar, Baiga, Banamanus, Gond, Kharwar and Kol mentioned at nos. 1 to 7 of that list, are residents of the portion of the Mirzapur district south of the Kaimur Range. In the opinion of the Provincial Government these tribes are not now in such a low level of culture or development as to deserve any separation or isolation from the rest of the community. They have virtually given up their own dialect and now speak the Bagheli variety of the eastern Hindi. They have no system of civil rights peculiar to themselves and antagonistic to the system of rights and duties recognised and followed elsewhere in the United Provinces. They live interspersed over the whole area side by side with caste Hindus and have reached, during the course of time, the same level as the lower castes among the Hindus. It is the considered opinion of the Provincial Government that it would be undesirable to check this gradual process of assimilation of these tribes into the fold of Hinduism which has been proceeding smoothly so far. These tribes do not require any invidious discrimination of the nature envisaged in the Constitution, because they have more or less merged with the general population.

3. The Provincial Government desire to make the following further comments in respect of the other tribes mentioned at items 8 to 10 of the list enclosed to your letter.

Saharya - The Saharayas are found almost exclusively in the Lalitpur Sub-Division of the Jhansi district. No Saharayas are resident in either the Jaunsar-Bawar Pargana of the Dehra Dun district or the portion of the Mirzapur district, south of the Kaimur Range. They are no longer treated as a separate tribe but are considered as a caste among the Hindus. According to the opinion generally held, they rank above the Bhangi, the Chamar and the Khatik and just below the Dhimar or Mallah. They are

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no longer primitive people in the usually accepted sense of the word.

Tharu - Tharus are resident in Basti, Lakhimpur, Gorakhpur, Bahraich, Gonda, Garhwal, Naini Tal and Moradabad districts. No Tharus at all are found in either the Jaunsar Bawar Pargana of the Dehra Dun district or the portion of the Mirzapur district, south of the Kaimur Ramge. At present, they are included in the list of Scheduled Castes prepared under the Government of India (Scheduled Castes) Order, 1936, but they have always resented and disapproved of this. In 1936, Tharus of Naini Tal district boycotted the first elections to the Legislative Assembly as a protest against their inclusion in the list of Scheduled Castes. Socially and culturally, this community is fairly advanced and in addition to this, it does not desire any safeguards for itself. Since the Tharus do not consider themselves a Scheduled Caste and have been persistently agitating for the removal of their name from the list, the Provincial Government have excluded them from Appendix A.

Bhoksas - The Bhoksas reside in bijnor, Agra, Garhwal and Naini Tal districts only. There are no Bhoksas living in either the Jaunsar-Bawar Parganas of the Dehra Dun district or the portion of the Mirzapur district south of the Kaimur Range. They have been Hinduised to a greater extent than the Tharus and have been more or less completely assimilated during the last half century.

4. Of the 10 tribes, mentioned in the list attached to your letter, Bhuiya, Banamanus, Kharwar, Kol, and Sahariya (Saharya) are already included in the list of Scheduled Castes for this province. Baiswar, Baiga, Gond and Bhoksa tribes have not been declared as Scheduled Castes hitherto, but the Provincial Government consider that there would be no objection to these tribes being declared as Scheduled Castes

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for the future. Accordingly, the Provincial Government have included these four tribes and retained Bhuiya, Banamanus, Kharwar, Kol and Sahariya (Saharaya) in their recommendations contained in Appendix A. It is considered that this recommendation will provide to these tribes some protection in common with other Scheduled Castes.

As explained earlier, Tharus should neither be designated as a Scheduled Tribe, nor as a Scheduled Caste.

5. As regards the question referred to in para 3 of your letter, I am to convey to you the Provincial Government's views as follows:-

(1) The Provincial Government are of the opinion that a member of a Scheduled Caste when he changes his religion feels quite often that he has made a break with his past. It is doubtful whether such converts from Scheduled Castes to other religions would themselves like to be considered as members of the Scheduled Castes to which they or their forefathers belonged before the change in religion. It also appears that with a change in religion, the necessity for special safeguards, which arises out of the backward position of these castes in the Hindu religion, disappears. There is, therefore, no valid ground for continuing to treat converts from Scheduled Castes as members of those castes after their conversion.

(2) The Provincial Government hold the view that a member of any of the Scheduled Tribes who ceases to profess the tribal religion, should not continue to be considered as a member of a Scheduled Tribe. Scheduled Tribes have been given special treatment in the Constitution, because of their peculiar social and religious customs. Any person who ceases to profess the tribal religion would, in all probability, cease to be bound by the customs of the tribe. He would have to make a break with these customs and traditions and would try to adapt and

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adjust himself to conditions prevailing outside the tribal society. The change in the religion will effectively severe the link with the tribe and it could scarcely be artifically restored again by continuing to treat him as belonging to that tribe. It should, therefore, be no longer necessary or expedient to continue to regard him as a member of that tribe. He should, definitely, discontinue to be treated as a member of a Scheduled Tribe.

Yours faithfully,

K.P. Bhargava

(K.P. Bhargava)
Secretary.

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Appendix A

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LIST OF SCHEDULED CASTES

UNITED PROVINCES

1. AGARIYA
2. BADI
3. BADHIK
4. BAHELIYA
5. BAIGA
6. BAISWAR
7. BAJANIYA
8. BAJGI
9. BALAHAR
10. BALMIKI
11. BANMANUS
12. BANSPHOR
13. BARWAR
14. BASOR
15. BAWARIYA
16. BELDAR
17. BENGALI
18. BERIYA
19. BHANTU
20. BHOKSA
21. BHUIYA
22. BHUYIAR
23. BORIA
24. CHAMAR
25. CHERO
26. DABGAR
27. DHANGAR
28. DHANUK
29. DHARKAR
30. DHOBI
31. DHUSIA (OR JHUSIA)
32. DOM
33. DOMAR
34. DUSADH
35. GHARAMI
36. GHASIYA
37. GOND
38. GUAL
39. HABURA
40. HARI
41. HELA
42. JATAWA
43. KALABAZ
44. KANJAR
45. KAPARIYA
46. KARWAL
47. KHAIRAHA
48. KHAROT
49. KHARWAR (EXCLUDING BENBANSI)
50. Kol.
51. KORWA
52. LALBEGI
53. MAJHWAR
54. NAT
55. PANKHA
56. PARAHIYA
57. PASI
58. PATARI
59. RAWAT
60. SAHARYA
61. SANAURHIYA
62. SANSIYA
63. SHILPKAR
64. TURAIHA

K. P. Bhargava

ICS,
(K. P. Bhargava),
Secretary to Government,
United Provinces,
General Administration Department.

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Government of West Bengal
Home (C&E) Department

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No. 42-AR
RIR-12/49

S. No. 32.

From

Sri M.M.Basu, I.C.S.,

Joint Secretary to the Government of West Bengal,

To

The Joint Secretary to the Government of India,

Ministry of Law, New Delhi.

MINISTRY OF LAW
10 JAN 1950
File No.
Diary No. 81/50-C

Calcutta, the 9th January, 1950

Sir,

I am directed to refer to your letter No. F.28/49-C dated the 19th December, 1949 regarding the preparation of lists of Scheduled Castes and Scheduled Tribes to be specified by the President by public notifications under Articles 341 and 342 of the New Constitution and to enclose two lists of Scheduled Castes and Scheduled Tribes for the purpose.

2. As regards the query contained in paragraph 3 of your letter under reference, this Government are of the opinion that -

(1) a member of a Scheduled Caste who does not profess Hinduism should not be treated as a member of a Scheduled Caste; but

(2) a member of a scheduled tribe who does not profess the tribal faith should still be treated as a member of a scheduled tribe.

3. In the list of Scheduled Tribes received as an enclosure with your letter under reference there appears to be an entry against Item 8: "Any other tribe notified by the Government of West Bengal." A perusal of Article 342 of the Constitution goes to show that such a general entry is perhaps not permissible. Under clause (1) of Article 342 the President has to specify the tribes which shall for the purposes of the Constitution be deemed to be scheduled tribes in relation to West Bengal and considering the spirit of the provision made in clause (2) of that Article which says that once a notificatio has been issued by the President specifying the names of certain tribes to be scheduled tribes, that notification shall not be varied any subsequent notification and that it will be Parliament alone w

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shall be competent to add to or substract from the list contained in that notification, it amply appears that it will not be permissible to add further tribes to the list of the original notification by virtue of the omnibus entry against Item 8. If, however, the Government of India take the view that it will be quite in order to have a general entry like this in the list to be issued under the said notification, this Government would suggest that a similar item should also occur in the list of Scheduled Castes which does not at present occur in the list of Scheduled Castes received as an enclosure with your letter under reference.

4. Incidentally, it may be observed that Articles 341 and 342 have not yet come into force. They will come into force on the 26th January, 1950. It is only after they come into force that the President will have to have a consultation with the Governor as directed in Articles 341 and 342 before he can issue the two notifications in question. It does not, therefore, seem permissible to issue the notifications directly on the 26th January, 1950 on the basis of the consultation made at this stage and it is presumed that there will at least have to be a formal show of consultation on or after the 26th January, 1950, that is to say, after Articles 341 and 342 have actually come into force.

Yours faithfully,

Joint Secretary to the Government of West Bengal.

LIST OF SCHEDULED CASTES

1. Bagdi.
2. Bahelia.
3. Baiti.
4. Bauri.
5. Bediya.
6. Beldar.
7. Bhuimali.
8. Bhuiya.
9. Bhumij.
10. Bind.
11. Chamar.
12. Dhoba.
13. Doai.
14. Dom.
15. Dosadh.
16. Ghasi.
17. Gonrhi.
18. Hari.
19. Jalia Kaibartta.
20. Jhalo Malo, or Malo.
21. Kadar.
22. Kandra.
23. Kaora.
24. Karenga.
25. Kastha.
26. Kaur.
27. Khaira.
28. Khatik.
29. Koch.
30. Konai.
31. Konwar.
32. Kora.
33. Kotal.
34. Lalbegi.
35. Lodha.
36. Lohar.
37. Mahar.
38. Mahli.
39. Mal.
40. Mallah.
41. Malpahariya.
42. Mehtor.
43. Muchi.
44. Musahar.
45. Nagesia.
46. Namasudra.
47. Nuniya.
48. Paliya.
49. Pan.
50. Pasi.
51. Patni.
52. Pod.
53. Rabha.
54. Rajbanshi.
55. Rajwar.
56. Sunri.
57. Tiyar.
58. Turi.

LIST OF SCHEDULED TRIBES.

1. Bhutia (in place of Botia)
2. Lepcha.
3. Mech.
4. Mru.
5. Munda.
6. Oraon.
7. Santal.

Dy.No. 109/50-C dated 11/1

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No. 204 A

GOVERNMENT OF BIHAR,
APPOINTMENT DEPARTMENT.

No. 33

From

L. P. Singh, Esqr., I.C.S.,
Chief Secretary to Government.

To

K. Y. Bhandarkar, Esqr.,
Joint Secretary to the Government of India,
Ministry of Law, New Delhi.

Patna, the 9th January 1950.

Sir,

I am directed to invite a reference to your letter no. F.28/49-C., dated the 19th December, 1949, and to reply as follows.

2. As regards the questions put in para 3 of your letter, the Provincial Government consider that a member of a Scheduled Caste should not continue to be treated as a Scheduled Caste if he has changed his religion, or changes it subsequently. The caste system, as commonly understood, is peculiar to the Hindu society; as soon as a member of a Scheduled Caste changes his religion, he ceases to have a caste; and, as a rule, he is also freed from the social disabilities to which he was subject before his religious conversion.

3. On the question whether a person not professing a tribal religion should be treated as member of a Scheduled Tribe, the Provincial Government's view is that the profession, or non-profession of a particular religion, as such, may not be the basis for treating a person as a member of a Scheduled Tribe. Provision has been made in the Constitution for declaring certain tribes to be Scheduled Tribes in order to afford them special facilities for speedy development; and there may be, and in actual fact, there are, large groups among tribes who, though professing Hinduism, are socially and educationally as backward as

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tribal groups professing tribal religions. But where adoption of a particular religion has been followed by such social and educational progress as to bring the converts to the level of the general population, they should be excluded from the list of Scheduled Tribes, not because of their religion, but because of the progress and the social changes that have resulted from the adoption of a particular religion. In other words, the criterion must be the state of social and educational development and the degree of approximation to primitive social organisation. As it happens, such members of the tribes as have become Christians are, in actual fact, socially and educationally much more advanced than the rest of the tribal population; they are, in fact, no more backward than large sections of non-tribal Hindus and Muslims in this province; they have, moreover, adopted social standards and customs markedly divergent from those of the rest of the tribal population. Mainly, as a result of the work of the Christian Missions over some decades, the percentage of literacy among the Christian aboriginals is fairly high, and in the matter, for instance, of female education they are, according to the information available to the Provincial Government, ahead of most sections of the population. A large number of Christian aboriginals enlisted themselves in the Armed Forces and the auxiliary formations during the war, and on their return, they have proved effective instruments of a general advancement of their community. The result is that the Christian aboriginal, as a rule, does not require any special protection, or need any special assistance; and on merits, the exclusion of almost the entire Christian aboriginal population from the list of Scheduled Tribes would, therefore, be justified. The Provincial Government, however, wish to err on the side

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of liberality in this matter; and they accordingly suggest exclusion only of the Christian aboriginals residing in the district of Ranchi, and in the Dumka, Pakaur and Rajmahal subdivisions of the Santal Parganas, where the Christian aboriginals are, due to the conjunction of a variety of circumstances, most advanced.

4. The list of Scheduled Tribes forwarded with your letter under reply requires the following modifications:-

(a) The Ghatwar and the Khetauri Tribes should not be notified as Scheduled Tribes, as they have become part and parcel of the non-aboriginal section of the Hindu community, and are being treated as such. In fact, they have, as a rule, a social status higher than that of the Scheduled Castes; and there can, therefore, be no justification for treating them as Scheduled Tribes.

(b) The tribes, Bedia, and the Lohara are fairly numerous aboriginal tribes, who still maintain their distinct tribal identity. They may, accordingly, be included in the list of Scheduled Tribes.

(c) For the reasons mentioned in the foregoing paragraph, the words "and professing tribal religion" in para 1 and the words "and following tribal religion" in para 2 of the list of Scheduled Tribes forwarded with your letter under reply, may be deleted.

(d) Para 3 of the list should be left out as it is not in accordance with the provision of Article 342 of the Constitution, which only empowers the President, in the first instance, and the Parliament thereafter, to specify tribes, or tribal communities or parts thereof, as Scheduled Tribes.

(e) It may be provided that no member of any of the tribes or tribal communities etc., being specified as Scheduled Tribes, shall be treated as a member of a Scheduled Tribe in the district of Ranchi, and the Dumka, Pakaur and Rajmahal subdivisions of the Santal Parganas district, if he

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professes the Christian religion. The reasons for this recommendations have been explained fully in the preceding paragraph.

5. The list of Scheduled Castes appended to your letter under reply also, requires, in the opinion of the Provincial Government, the following modifications:-

(a) The Bantar Caste should be added to the list. The Bantars are similar to the Mushhars in habit and occupation, and are treated as untouchables.

(b) The Tanti should be notified as a Scheduled Caste for the district of Singhbhum. The Tantis of Singhbhum generally claim to be Pans, and are, in fact, Pans, though now known by another name.

(c) The Dabgar should be notified as a Scheduled Caste for the Shahabad district, where they are akin to the Chamars in habits and occupation, and are treated as untouchables.

(d) The Bhumij should be notified as a Scheduled Caste only for the Patna and Tirhut Divisions, and the districts of Monghyr, Bhagalpur, Purnea and Palamau. For the rest of the province they are to be notified as a Scheduled Tribe.

Yours faithfully,

Chief Secretary to Government.

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S. No. 34.

No. 145 - 7613-II/49

GOVERNMENT OF THE CENTRAL PROVINCES AND BERAR,
General Administration Department.

Substituted by S. No. 3 P. 110/

From

Shri B.N. Kunte, I.A.S.,
Additional Secretary to Government,
Central Provinces and Berar.

To

The Secretary to the Government of India,
Ministry of Law,
NEW DELHI.

Dated Nagpur, the 10th January, 1950.

Reference:- This Government General Administration Department letter No. 72-7613-II/49, dated the 6th January, 1950.

Sir,

The lists of scheduled tribes and scheduled castes in the Central Provinces and Berar which were appended to the letter under reference have been further scrutinised and some changes appear to be necessary. Revised lists are enclosed herewith and it is requested that they may be substituted for the lists sent already.

MINISTRY OF LAW
11 JAN 1950
File No.
Diary No. 106/50-L

Yours faithfully,

By Kunte.

Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

Encl: Two lists.

TTK.
10.1.50.

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LIST OF SCHEDULED CASTES IN THE CENTRAL PROVINCES AND BERAR.

1. Audhelia
2. Baser or B urud Kandra
3. Banna or Banana
4. Balahi or Balai
5. Bedar
6. Chadar
7. Chamar
8. Dahait or Dahayat
9. Dewar
10. Dhanuk
11. Dam
12. Dehar
13. Ganda
14. Ghasi or Ghasia
15. Holiya
16. Kaikadi
17. Katia
18. Khangar
19. Kori
20. Madgi
21. Mahar or Mehra
22. Mang
23. Mentar or Bhangi
24. Rajjhar
25. S atnami
26. Turi.

Since revised

Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

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LIST OF SCHEDULED TRIBES IN THE CENTRAL PROVINCES AND BERAR.

1. Agaria Asur and Patharia
2. Andh
3. Baiga Nahar Naretia and Bharetia
4. Banjara Wanzara, Wanjari, Labhana
5. Bhaina
6. Bharia-Bhumia also known as Bhuinhar-Bhumia
7. Bhattra Amnait
8. Bhil Naikar
9. Bhunjia
10. Binjhwar
11. Birhul or Birhur
12. Chere Kharwar or Khairwar
13. Chik Baraik
14. Bhanwar
15. Dhoba
16. Derla
17. Gadaba or Gadba
18. Gond including Madia and Mudia Raj-Gond, Khatela, Bhoi Ojha, Dhuru, Dhuruma, Bhima, Bhuta, Keila-bhuta, Gatta, Gatti, Kaitar, Koya, Gaita, Nagarchi, Nagwansi Mannewar, Arakh Arakh, Kisan, Kalanga.
19. Halba
20. Kamar
21. Kawarer Khairwar
22. Kharia
23. Khond or Khandh
24. Kol
25. Kolam
26. Korku
27. Korwa
28. Manjhwar, Majhwar, Manjhi and Majhia
29. Munda
30. Nihal Kisan-Bihar and Khadia
31. Oraon Kisan and Dhangad
32. Pardhan
33. Pardhi

Since Revised see p 111

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Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

S.No.35.

Form U.S.R. No. 4
G.P. J.—50,000-290-06

GOVERNMENT OF THE UNITED STATE OF RAJASTHAN

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No. 203/210. Dated the 10th January, 1950.

From:-

The Chief Secretary to the,
Government of the United State of Rajasthan,
Jaipur.

To,

The Joint Secretary,
Government of India,
Ministry of Law,
New-Delhi.

MINISTRY OF LAW
11 JAN 1950
File No.....
Diary No. 187/50-C

D. 16/C

Sir,

With reference to your letter No. F 28/49-C dated the 19th December, 1949, I am directed to forward herewith lists of Scheduled Castes and Scheduled Tribes pertaining to the United State of Rajasthan.

The views of this Government in respect of the two questions raised in Para 3 of your letter under reference will be sent shortly.

Encl. 2.

Yours faithfully,

Chief Secretary to the,
Government of the United State
of Rajasthan,
Jaipur.

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List of Scheduled Castes available in the United State of Rajasthan.

1. Adi Dharmi.
2. Aheri.
3. Bhangis.
4. Ballais.
5. Badi.
6. Bagri.
7. Bargi.
8. Bhand.
9. Badri.
10. Bawaria.
11. Bhambhi.
12. Bajgar.
13. Bansphore.
14. Bidakia.
15. Chamar.
16. Chura.
17. Dakot.
18. Disantri (Acharaj)
19. Dhobi.
20. Dhankias.
21. Domes.
22. Dheda.
23. Dabgar.
24. Dholi.
25. Ganwaria.
26. Gandia.
27. Goddi.
28. Gancha.
29. Garancha Mehtar.
30. Garoda.
31. Julaha.
32. Jatia.
33. Jogi.
34. Koli.
35. Khatik.
36. Kapadia Sansi.
37. Kooch Bandia.
38. Kanjar.
39. Kalbelia.
40. Khatka.
41. Khangar.
42. Koria.
43. Mehtar.
44. Majhabi.
45. Meghwal.
46. Mehar.
47. Madari. (Bazigar)
48. Mirasi.
49. Mochi.
50. Naika.
51. Nut.
52. Pasi.
53. Raigar.
54. Ramdasia.
55. Rawal.
56. Sansi.
57. Sapela.
58. Sanpia.
59. Sargara.
60. Singiwala.
61. Sarbhangi.
62. Thori.
63. Tirgar
64. Valmiki.
65. Berwa

List of Sheduled Tribes available in United State of Rajasthan.

1. Bhils.
2. Minas.
3. Girasias.
4. Rawats.
5. Merats.

By Air Mail

(101)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

S. No. 36.

No. M 11348/Cens 1. **General and Revenue Secretariat,**

Dated Bangalore, 14 January, 1950.

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Education Department,
BANGALORE.

To

The Secretary to the Government of India,
Ministry of Law,
NEW DELHI.

SIR,

MINISTRY OF LAW
12 JAN 1950
File No.....
Diary No. 124/50-C.

Subject:- List of Scheduled Castes and Scheduled Tribes in the Mysore State.

With reference to your letter No.F.28/49.C. dated 19th December, 1949 and in continuation of Telegram dated 9th January 1950 from this Government on the above subject, I am directed to forward herewith a list of Scheduled castes and Scheduled Tribes pertaining to the State of Mysore.

As regards the views of this Government in respect of the questions stated in para 3 of your letter under reply, I am to state that (1) if a member of a scheduled caste has changed or subsequently changes his religion, ip-so-facto he has to be treated as one belonging to the religion of his choice and not that of his birth and (2) that in the case of a person not professing the tribal religion, the test should be whether he was born in and continues to carry on the activities of his tribe or whether, being born in a tribal community, no longer professes that religion nor actively participates in the activities of his tribes. If the former is the case, he should be treated as a member of the Scheduled Tribe, whether he professes the religion or not, and in the latter case, he should cease to be regarded as a member of the Scheduled Tribe.

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Yours faithfully,

K.S. Narasimha Rao
SECRETARY TO GOVERNMENT 13/1/50
EDUCATION DEPARTMENT.

Tsk.3.

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List of Scheduled Castes and Scheduled Tribes in the Mysore State.

SCHEDULED CASTES:

1. Adikarnatakas.
2. Adidravidas.
3. Banjaras (Lambanis).
4. Bhovis.
5. Koracnas and
6. Koramas.

SCHEDULED TRIBES:

1. Kadu-Kurubas.
2. Jenu Kuruba.
3. Iruliga.
4. Hasalaru.
5. Maleru.
6. Soligaru.

K.G. Narasimha Rao
SECRETARY TO GOVERNMENT
EDUCATION DEPARTMENT. 18/1/50

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Tsk.2.

IMMEDIATE

Registered: Air Mail

No. 1842/49-3
Public (Miscellaneous) Department,
Fort St. George, Madras 9,
11th January 1950.

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S. No. 37

From

Sri K. Ramunni Menon, I.C.S.,
Chief Secretary to Government,

To

The Secretary to the Government of India,
Ministry of Law, New Delhi 3.
(with enclosures).

Sir,

New Constitution - Articles 341 and 342, Scheduled Castes and Scheduled Tribes - Specification by Orders of the President.

...

Ref. Letter from the Government of India, Ministry of Law, No. F 28/49-C, dated 19.12.1949.

MINISTRY OF LAW
12 JAN 1950
File
Diary 126/50-C

I am directed to forward two lists -

(1) one of castes, races or tribes or parts or groups within castes, races or tribes which should, under Article 341(1) of the Constitution, be declared as Scheduled castes in relation to the State of Madras; and

(2) another, of the tribes or tribal communities or parts of or groups within tribes or tribal communities which should, under article 342(1), be declared as Scheduled Tribes.

2. In regard to List 1, i.e. the list of Scheduled Castes, I am to say that this Government have after a thorough examination decided that certain castes should be omitted from the list prepared by the Drafting Committee and that one caste known as 'Panan' should be added to it. Another caste known as 'Kudiya' at present included in the list of Scheduled Castes is in a much worse economic condition than Harijans and is leading a primitive life and this Government have therefore decided to include it among Scheduled Tribes. The enclosed list takes into account these decisions.

3. As regards Scheduled Tribes, List II, a list was originally compiled by this Government as a result of their correspondence with Sri A.V. Thakkar Bapa and the Constituent Assembly. The list now forwarded is the same, except for the addition of 'Kudiya' - vide para 2 above - and the omission of Badagas. The Badagas are an enterprising and prosperous community and need not be classified as a Scheduled Tribe.

4. The merger of the three States of Pudukkottai, Banganapalle and Sandur does not affect the lists in question.- vide this Government's letter No. 718/49-8, Public (Elections), d/13.7.1949 to the Constituent Assembly (copy sent to the Ministry of States). In case the Andhra Province is formed before 26.1.1950, the lists may be adopted for both that Province and the residuary Madras Province.

5. I am to add that the lists have been evolved after several examinations by this Government. It is not likely that any material omission or mistake would be discovered, but in case it is discovered later on, it could be rectified after due enquiry by a simple legislation by Parliament in due course.

6. The Scheduled Tribes outside the Scheduled areas cannot

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get the benefit of any special laws. Nor are any such special laws really necessary. They will only benefit in regard to ameliorative measures.

7. The New Constitution provides for safeguards even for really backward communities, other than those classified as Scheduled Tribes or Scheduled Castes and they will, and can, be given the benefit of adequate ameliorative measures, regulated with reference to the degree of their backwardness, which really is the fundamental test to be applied in this matter. This Government are also separately preparing, at the instance of the Government of India, a list of such backward communities for Census and other administrative purposes, but it is not intended to notify them statutorily.

8. In regard to the two specific questions raised in paragraph 3 of your Ministry's letter cited, I am to reply as follows:-

(1) Conversion to another religion does not, according to the orders in force in this Province, generally affect eligibility for the ameliorative help granted by this Government. For other purposes, however, e.g. appointment to public services, elections, etc., a Scheduled caste convert to Christianity or Islam will be treated only as a Christian, or as the case may be, as a Muslim. In other words, the answer to the first question raised by the Ministry is in the negative, and it should, in this Government's view, be so as a matter of principle and policy.

(2) This Government have so far listed backward tribes without reference to their religion and without entering into any controversies over what is a tribal religion. This Government consider that this policy should be maintained and that unnecessary refinements should be avoided.

Yours faithfully,

Mathew 11.1.50

(P.K. Hanumantha Rao)
for CHIEF SECRETARY.

cvn/11.1

LIST I

SCHEDULED CASTES

1. Adi Andhra
2. Adi Dravida
3. Adi Karnataka
4. Ajila
5. Arunthuthiyar
6. Baira
7. Bakuda
8. Bandi
9. Bariki
10. Bavuri
11. Bellara
12. Byagari
13. Chachati
14. Chakkiliyan
15. Chalavadi
16. Chamar
17. Chandala
18. Cheruman
19. Dandasi
20. Devendrakulathan
21. Dom ~~(Pana)~~ (Dombara) Same as oombo?
22. Ghasi
23. Godagali
24. Godari
25. Godda
26. Gosangi
27. Hasla
28. Holeya
29. Jaggali
30. Jambuvulu
31. Kadan
32. Kalladi
33. Kanakkan

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34. Karimpalan
35. Kodalo
36. Koosa
37. Koraga
38. Kudubi
39. Kudumban
40. Kurichchan Kuravan
41. Kurichchan
42. Madari
43. Madiga
44. Maila
45. Mala (including Agency Malas)
46. Mala Dasu
47. Malasar
48. Matangi
49. Mavilan
50. Moger
51. Muchi
52. Mundala
53. Nalakeyava
54. Nayadi
55. Pagadai
56. Paidi
57. Painda
58. Paky
59. Pallan
60. ~~Pamchama~~ Pambada.
61. Pamidi
62. Panan
63. Panchama
64. Panniandi
65. Paraiyan
66. Paravan

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67. Pulayan
68. Puthirai Vannan
69. Raneyar
70. Relli (including Sachandi)
71. Samagara
72. Samban
73. Sapari
74. Semman
75. Thoti
76. Tiruvalluvar
77. Valluvan
78. Valmiki
79. Vettuvan.

True copy

E. Chockalingam.
For Superintendent.

LIST II.

SCHEDULED TRIBES.

1. Aranadan
2. Bagata.
3. Bhottadas -- Bodo Bhottada, Muria Bhottada and Sano Bhottada.
4. Bhumias -- Bhuri Bhumia and Bodo Bhumia.
5. Chenchu.
6. Gadabas -- Boda Gadaba, Cerllam Gadaba, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Gadaba and Pranga Gadaba.
7. Gondi -- Modya Gond and Rajo Gond.
8. Goudus -- Bato, Bhirithya Dudhokouria, Hato, Jatako and Joria.
9. Kosalya Goudus -- Bosothoriya Goudus, Chitti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pullosoriya Goudus.
10. Magatha Goudus -- Bermia Goudu, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Ponna Magatha and Sana Magatha.
11. Holva ++
12. Irula
13. Jadapus
14. Jatapus
15. Kammaras
16. Kattunayakan
17. Khattis-Khatti, Kommarao and Lohara.
18. Kodu
19. Kommar
20. Konda Dhoras
21. Konda Kapus.
21. Kondareddis
~~22. Konda Kapus~~
23. Kondhs -- Desaya Kondhs, Dongria Kondhs, ~~Kuttiya~~ Kultiya Kondhs, Tikiria Kondhs and Yenity Kondhs.
24. Kota.
25. Kotia -- Bartika, Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya, Sanrona and Sidho Paiko.
26. Koya or Goud with its sub sects -- Raja or Rasha Koyas, Lingadhari Koyas (Ordinary) and Kottu Koyas.
27. Kudiya.

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p.t.o.

28. Kurumans.

29. Lambadies.

30. Manna Dhora

31. Maune.

32. Mukha Dhora -- Nooka Dhora.

33. Muria.

34. Paigarapu.

35. Palasi.

36. Paniyan.

37. Porjas -- Bodo, Bonda, Daruva, Didua, Jodia, Mundili, Pengu, Pydi and Saliya.

38. Reddi Dhoras.

39. Savaras -- Kapu Savaras, Khutto Savaras and Maliya Savaras.

40. Sholaga.

41. Sugalis.

42. Toda.

43. Yenadi.

44. Yerukula.

45. Inhabitants of the Laccadive, Minicoy and Amindivi islands, excluding those declared to be outsiders by such authority and in accordance with such instructions as may be issued by the Government of Madras.

True copy

E. Chockalingam.
For Superintendent.

S.No.3

GOVERNMENT OF THE CENTRAL PROVINCES AND BERAR,
General Administration Department.

No. 165-7613-II/49 Dated, Nagpur the 11th January 1950.

From

Shri B.N. Kunte, I.A.S.,
Additional Secretary to Government,
Central Provinces and Berar.

To

The Secretary to the Government of India,
Ministry of Law, New Delhi.

Subject:- Scheduled Castes and Scheduled Tribes in the Central Provinces and Berar.

.....

Sir,

I am directed to refer to this Department letter No. 145-7613-II/49 dated the 10th January 1950, and to say that the lists of Scheduled Tribes and Scheduled Castes enclosed therewith contain certain copying mistakes. I am therefore to enclose fresh lists which may please be substituted for those sent previously.

The mistake is extremely regretted.

MINISTRY OF LAW
12 JAN 1950
File No.....
Diary No. 125/50

Yours faithfully,

B.N. Kunte.

Additional Secretary to Government,
Central Provinces and Berar,
General Administration Department.

Enc: 2 lists.

VDH

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FRESH LIST : ENCLOSURE TO G.A.D. LETTER NO.
DATED THE 11TH JANUARY 1950.

.....

LIST OF SCHEDULED TRIBES IN THE CENTRAL PROVINCES AND BERAR

.....

1. Agaria
2. Andh
3. Baiga
4. Bhaina
5. Bharia-Bhumia also known as Bhuinhar-Bhumia
6. Bhattra
7. Bhil
8. Bhunjia
9. Binjhwar
10. Birhul or Birhor
11. Chik
12. Dhanwar
13. Dhoba
14. Dorla
15. Gadaba or Gadba
16. Gond including Madia and Mudia x
17. Halba
18. Kamar
19. Kawar or Kanwar
20. Kharia
21. Khond or Kandh
22. Kol
23. Kolam
24. Korku
25. Korwa
26. Manjhwar
27. Munda
28. Nihal
29. Oraon
30. Pardhan
31. Pardhi
32. Parja
33. Sawar
34. Waddar.....

Additional Secretary to Govt:
Central Provinces and Berar
General Dministration Department

VDH

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FRESH LIST : ENCLOSURE TO LETTER NO. dated 11-1-50.

LIST OF SCHEDULED CASTES IN THE CENTRAL PROVINCES & BERAR.

1. Audhelia.
2. Basor or Burud.
3. Bahna or Bahana.
4. Balahi or Balai.
5. Bedar.
6. Chadar.
7. Chamar.
8. Dahait or Dahayat.
9. Dewar.
10. Dhanuk.
11. Dom.
12. Dohor.
13. Ghasi or Ghasia.
14. Holiya.
15. Kaikadi.
16. Katia.
17. Khangar.
18. Kori.
19. Madgi.
20. Mahar or Mehra.
21. Mang.
22. Mehtar or Bhangi.
23. Mujjhar.
24. Satnami.
25. Turi.

Addl. Secretary to Government,
Central Provinces and Berar,
General Administration Department.

S. No. 39.

Government of Orissa,
Home Department.

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No. 42 Reforms.

From

S. N. Mahapatra Esq., I.A.S.,
Addl. Secretary to Government,

To

The Joint Secretary to the Govt.
of India, Ministry of Law, New Delhi.

Cuttack, the 10th January 1950.

MINISTRY OF LAW
13 JAN 1950
File No.
Diary No. 143/50-C

Sir,

With reference to your letter No.F.28/49-C., dated the 19th December 1949, I am directed to forward herewith complete and up-to-date lists of 'scheduled castes' and 'scheduled tribes' pertaining to the entire province of Orissa for inclusion in the notification to be issued under articles 341 and 342 of the Constitution of India.

2. The views of the Provincial Government on the two questions raised in paragraph 3 of your letter referred to above are as follows:

The Provincial Government are of the view that -

(1) if a member of the 'scheduled castes' changes his religion, he should not continue to be treated as a member of 'scheduled castes'; and

(2) a person not professing the tribal religion should not be treated as a member of the 'scheduled tribes' but should be treated as a member of "other backward classes" subject, however, to the following two conditions, namely:-

(a) That a person even if he professes the tribal religion should not be treated either as a member of the "schedule tribe" or as a member of "other backward classes" if he has socially, educationally or economically attained a degree of advancement which, in the opinion of the Provincial Government, has developed in him such a different code of conduct and attitude towards life that he cannot represent the tribal view point;

(b) that a person even though he has changed his tribal religion should not be treated as a member of "other backward

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classes" if he has socially, educationally or economically attained a degree of advancement which in the opinion of the Provincial Government does not entitle him to any protection to which the backward classes are entitled under article 46 of the Constitution of India.

3. In making recommendation as contained in paragraph 2 above, the Provincial Government have been influenced by the fact that among tribals there are persons who are holding position of big land-holders and are educationally, socially and economically far advanced. The Provincial Government consider that this class of people should be excluded from the category of "scheduled tribes". To treat them as members of the "scheduled tribes" would merely mean statifying the society. The Provincial Government are of the view that they should be given power to exclude by notification such of the persons who in their opinion have attained such a degree of advancement as not to justify their being treated as members of "scheduled tribes". With regard to persons professing religion other than tribal religion only those of them should be treated as members of "other backward classes" who are socially, educationally or economically backward enough to justify in their case adoption of the principles enunciated in article 46 of the Constitution of India.

Yours faithfully,

L.K. Kahelpacha

Additional Secretary to Govt.

List of Scheduled Tribes in Orissa inclusive of merged States.

1. Bagata
2. Baiga
3. Banjara
4. Banjari
5. Bathudi
6. Bhuiya
7. Bhuyan
8. Binjhal
9. Binjhia or Binjhoa
10. Birhor
11. Bondo Poraja
12. Chenchu
13. Dal
14. Gadaba
15. Ghara
16. Gorait or Korait
17. Ho
18. Jatapu
19. Juang
20. Kawar
21. Kharia or Kharian
22. Kharwar
23. Khond (Kond) or Kandha or Nanguli Kandha or Sitha Kandha
24. Kisan
25. Kolha
26. Kolah-Kol-Loharas
27. Koli
28. Kondadora
29. Kora
30. Korua
31. ~~Kharwa~~ Koya
32. Kulis
33. Mahali
34. Mankidi
35. Mankirdia
36. Mirdhas
37. Munda (Munda-Lohara and Munda-Mahalis)
38. Mundari
39. Oraon
40. Paroja
41. Santal
42. Saora or Savar or Saura or Sahara
43. Tharua

{ A person not professing tribal religion should not be treated as a member of the 'scheduled tribe' and it will be within the competency of the Provincial Government to declare a person, even if he professes tribal religion, as not belonging to 'scheduled tribe' if he has socially, educationally or economically attained a degree of advancement which has developed in him such different code of conduct and attitude towards life that he cannot represent the tribal view point.]

List of Scheduled castes in Orissa inclusive of the merged States.

1. Adi-Andhra
2. Ahir-Gouda
3. Amant
4. Amat
5. Audhelia
6. Badaik
7. Bagala
8. Bagheti
9. Bajikar
10. Bari
11. Bariki
12. Basor or Burud
13. Bauri
14. Bauti
15. Bavuri
16. Bedia or Bejia
17. Beldar
18. Bhanja Purana
19. Bhata
20. Bhumij
21. Bindhani
22. Chachati
23. Chamar
24. Chandala (Chandal)
25. Cherua
26. Chhatrapal
27. Chhelia
28. Dandachhatramajhi
29. Dandasi
30. Desuabhumij
31. Dewar
32. Dhanwar
33. Dharua
34. Dhoba or Dhobi
35. Dom or Dombo
36. Dosadha
37. Ganda
38. Ghani
39. Ghantarghada
40. Ghantra
41. Ghasi or Ghasia
42. Ghogia
43. Ghusuria
44. Godagali
45. Godari
46. Godra
47. Gokha
48. Gunju or Ganju
49. Haddi or Hadi or Hari
50. Hatakata
51. Irika
52. Jaggali
53. Jhara
54. Kachara
55. Kalanga
56. Kandra or Kandara
57. Karua
58. Katia
59. Kela
60. Keuta
61. Khadala
62. Khadara or Khadura
63. Khadia
64. Khaira
65. Kodalo
66. Kori
67. Kosta
68. Kumbhar
69. Kundura
70. Kurmi
71. Kurunga
72. Laban
73. Laheri
74. Lodha
75. Madari
76. Madiga
77. Mahuria
78. Mala or Jhala
79. Malarh
80. Mang
81. Mangan
82. Matia
83. Mehra or Mahar
84. Mehtar or Bhangi
85. Mewar
86. Mochi or Muchi
87. Mundapotta
88. Nagarchi
89. Paidi
90. Painda
91. Pamidi
92. Pan or Pano
93. Panchama
94. Panika
95. Panka
96. Pantanti
97. Pap
98. Pasi
99. Patial or Patikar
100. Patratanti
101. Patua
102. Pradhan
103. Purana
104. Rajna
105. Raul
106. Relli
107. Sabakhia
108. Samasi
109. Sanei
110. Saor
111. Sapari
112. Satnami
113. Sidhria
114. Sinduria
115. Sitari
116. Siyal
117. Sukuli
118. Sunar
119. Tamadia
120. Tamudia
121. Tanla
122. Telenga
123. Tiar or Tior
124. Turi
125. Ujia
126. Valamiki or Valmiki

----oOo----

SY.No. 141/50-C, dated 13/1 (122)

GOVERNMENT OF S.No. 40.

THE UNITED STATE OF TRAVANCORE AND COCHIN

No.C3-12338/49/D.D.

Government Secretariat,
Cooperation Section,
Trivandrum, 10th January 1950.

From

Secretary to Government,
Development Department.

To

Sri. K.Y. Bhandarkar,
Joint Secretary to the Government of India,
Ministry of Law,
New Delhi.

Sir,

Sub:- Details regarding Scheduled Castes and Scheduled Tribes of the United State of Travancore and Cochin - Notification to be issued by the President of the Republic of India.

Ref:- Your letter No.F.28/49-C. dated 19-12-1949.

With reference to paragraph 1 of your letter cited above, I am to forward herewith (1) a list of castes, races or tribes or parts of or groups within castes, races or tribes, which, for the purpose of the Constitution of India, can be included as Scheduled Castes and (2) a list of tribes or tribal communities or parts of or groups within tribes or tribal communities which can be included in the list of Scheduled Tribes, so far as the matter relates to the United State of Travancore and Cochin.

2. In regard to the question as to whether a member of a Scheduled Caste who has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste, this Government are of the view that such a member need no longer be treated as Scheduled caste. As regards the issue whether a person, who does not profess the tribal religion, should be treated as a member of a Scheduled Tribe, this Government are of opinion that unless such a member embraces Christianity or Islam, he should be included in the category of Scheduled Castes.

Yours faithfully,

Secretary to Government.

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List I. Scheduled Castes.

1. Pulayan
2. Paraya (Sambava)
3. Ayyanavar
4. Ulladan
5. Nayadi
6. Ottars.
7. Vedan.
8. Vettuvan
9. Domban
10. Iruvalan
11. Cootan
12. Pallen
13. Valluvan
14. Kuravas
15. Kakkalan
16. Arasars.
17. Chakkiliyan
18. Bharatars
19. Kanakkan
20. Padannan
21. Uraly
22. Velan
23. Pathiyan
24. Vannan
25. Mannan
26. Perumannan
27. Thandan
28. Paravan
29. Chakkamar
30. Vallon
31. Velladan
32. Pandyans
33. Vathiriyans
34. Thachers
35. Panas
36. Pulluvas
37. Kavaras.

List II. Hill Tribes.

1. Kanikaran
2. Palliyars
3. Malayarayars
4. Malai Arayans
5. Malayan
6. Vishavan
7. Uraly
8. Pallcyans
9. Mannans
10. Malai Pandarams
11. Ulladans (Hill dwellers)
12. Kochu Velans
13. Muthuvans
14. Hill Pulayas
15. Nayadis
16. Vedan.
17. Valluvan
18. Kadar

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United State of Saurashtra,
Industries & Commerce Department,
(Labour & Backward Class),
Rajkot. Dated:- 5th January 1950.

No. BCD/4-19/28 of 1950.

To,

The Joint Secretary to
the Government of India,
Ministry of Law,
NEW DELHI.

MINISTRY OF LAW
13 JAN 1950
File No.....
Diary No. 144/50-C

Subject:- Lists of Scheduled Castes and Scheduled Tribes.

----------ooOoo----------

Sir,

I am directed to refer to your letter No. F-28/49-C dated the 19th December 1949, and to enclose two separate lists of (1) the castes, races or tribes or parts of or groups within castes, races or tribes, and (2) the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall, for the purposes of the constitution be in the opinion of this State Government deemed respectively to be Scheduled Castes and Scheduled Tribes in relation to the United State of Saurashtra. Numerical strength of these communities has not been ascertained but the criterion for the inclusion of a community in the lists has been adopted with due regard to the degree of backwardness of the community at present.

2. In connection with para 3 of the letter under refer-ence, this State Government is of the opinion that as soon as a member of a Scheduled Caste changes his religion, he should no longer be considered to belong to a scheduled caste, as there will be a fundamental change in his social position and that even when a person does not profess the tribal religion, he should not cease to be treated as a member of a Scheduled Tribe as professing a religion of a tribe has no essential bearing to his being a member of a Scheduled Tribe.

Yours faithfully,

D. K. Badhekar
for Chief Secretary,
United State of Saurashtra.

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/TGJ/
10/1

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LISTS OF SCHEDULED CASTES AND SCHEDULED TRIBES OF SAURASHTRA.

SCHEDULED TRIBES.

1. Miyanas.
2. Sindhis.
3. Daffers.
4. Adodias.
5. Wedva Waghris.
6. Ghantias.

SCHEDULED CASTES.

1. Vankar.
2. Meghwar.
3. Chamar.
4. Turi.
5. Turi-Barot.
6. Chamadia.
7. Garoda.
8. Bawa (Dhedh)
9. Dangashia.
10. Bhangi.
11. Senva.
12. Shemalia.
13. Garmatang.
14. Thori.
15. Hadi.

/TGJ/

10/1.

S.No.42

1354

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

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Recd. at	H.	M.	Sent at	H.	M.	Office Stamp
From			To			
By			By			

NEW DELHI 13 JAN 50 G.T.O.

X TF BOMBAY 13 STE 28 MINISTRY OF LAW NEW DELHI =

R.W.C

YOUR LETTER F 28/49-C DECR 19 TH LIST OF SCHEDULE D CASTES AND TRIBES BEING

DESSPATCHED BY AIR MAIL ON SATURDAY 14 TH JANUARY = RESTIS =

MINISTRY OF LAW
14 JAN 1950
File No.....
Diary No.....

T411

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S.No.43

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By Air Mail.

No.3545/46-H.
Political and Services Department,
Bombay Castle, 14th January 1950.

From

M.D.Bhat, Esquire, ICS,
Chief Secretary to the Government of Bombay,
Political and Services Department.

MINISTRY OF LAW
16 JAN 1950
168/50-C
NLA
14

To

The Secretary to the Government of India,
Ministry of Law.

Subject:- Scheduled Castes and Scheduled Tribes.

Sir,

With reference to Shri Bhandarkar's letter, No. F,28/49/C, dated the 19th December 1949, on the subject noted above, I am directed to forward herewith revised lists of communities which should be deemed to be Scheduled Castes and Scheduled Tribes in this Province.

It will be seen that "Chambhar" and "Dhed" have been added in the list of Scheduled Castes and received with Shri Bhandarkar's letter, and that the following seven categories of Bhils have been added to the list of Scheduled Tribes :-

1) Dungri Garasia
2) Dungri Bhil
3) Bhil Garasia
4) Bhagalia
5) Raval Bhil
6) Dholi Bhil
7) Mewasi Bhil
~~8) Tadvi Bhil~~.

As regards paragraph 3 of Shri Bhandarkar's letter, I am to say that in the opinion of the Government of Bombay a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should not continue to be treated as a Scheduled Caste and similarly a person nor professing the tribal religion should not be treated as a member of a Scheduled Tribe.

Yours faithfully

For Chief Secretary to the Government of Bombay
Political and Services Department.

VPB.14150.

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REVISED LIST OF SCHEDULED TRIBES.

B O M B A Y.

1. Barda.
2. Bavacha.
3. Bhagelia
4. Bhil
5. Bhil Garasia
6. Chodhara.
7. Dhanka
8. Dhodia
9. Dholi Bhil
10. Dubla
11. Dungri Bhil
12. Dungri Garasia.
13. Gamit or Gamta
14. Gond
15. Kathodi or Katkari
16. Konkna ~~or~~ Konkna
17. Koli Dhor
18. Koli Mahadev
19. Mavchi
20. Mewasi Bhil
21. Naikda or Nayak
22. Pardhi, including Advichincher ~~Br~~ Phanse Pardhi.
23. Patelia
24. Pomla
25. Powara.
26. Rathawa
27. Raval Bhil
28. Tadvi Bhill
29. Thakur
30. Valvai
31. Varli
32. Vasava.
33. Any other tribe notified by the Government of Bombay

REVISED LIST OF SCHEDULED CASTES.

B O M B A Y

1. Agar.
2. Asodi
3. Bakad
4. Bhambi
5. Bhangi
6. Chakrawadya-Dasar
7. Chalvadi
8. Chambhar.
9. Chena-Dasaru
10. Chuhar (same as No.11)
11. Chuhra (same as No.10)
12. Dakaleru
13. Dhed
14. Dhegu-Megu.
15. Dhor
16. Garode
17. Halleer
18. Halsar (Same as Nos. 19 and ~~20~~ 21)
19. Halsar (Same as Nos. 18 and 21)
20. Holaya
21. Hulsavar(Same as Nos. ~~18~~ 19 and ~~19~~ 20)
22. Khalpa
23. Kolcha (Same as No. 24),
24. Kolgha (Same as No.23).
25. Kotegar (In North Kahara).
26. Lingader
27. Machigar
28. Madig (same as No. 31)
29. Mahar
30. Mahyavanshi
31. Mang (same as No.28).
32. Mangarudi.
33. Meghval (same as No.34),
34. Menghwar (same as No.33),
35. Mini Madig.
36. Mochi (except in Gujrat).
37. Mochigar (same as No.41),
38. Mukri
39. Nadia
40. Rohit
41. Samagar (same as No.37),
42. Shenga (same as No.45),
43. Shingdav (same as No.44),
44. Shingadya (Same as No.43),
45. Shindhaya (same as No.42).
46. Sochi.
47. Timali
48. Turi
49. Vankar
50. Vitholia.

S.No. 44.

(130

No. 343 A.
2R-1-172/49
Government of Bihar.
Appointment Department.

From

L. P. Singh, Esqr., I.C.S.,
Chief Secretary to Government,

To

K. Y. Bhandarkar, Esqr.,
Joint Secretary to the Government of India,
Ministry of Law, NEW DELHI.

Dated, PATNA, the 12th January, 1950.

Sir,

I am directed to invite a reference to my letter No.204-A., dated the 9th January, 1950, and to address you as follows, in continuation thereof.

2. It was stated in my letter under reference that Christian aboriginals are socially and educationally much more advanced than the rest of the tribal population, and that they are in fact no more backward than large sections of the non-tribal population of this Province. These statements are amply borne out by the following figures. According to the Census Tables of 1941, the total population of Christian aboriginals in this Province was 3,43,330, while that of non-Christian aboriginals was 47,12,307; that is, the Christian aboriginals constituted only a little over 6 per cent of the total aboriginal population.

3. The figures below of pupils in schools and colleges collected from official records, will be found revealing in the context of the proportion of Christian aboriginals to the total aboriginal population mentioned above.

	1941-42			1946-47		
	Male.	Female	Total	Male.	Female	Total
Christian aboriginals --	25,473	14,573	40,046	31,482	16,403	47,885
Non-Christian aboriginals -- --	61,466	3,086	64,552	56,214	2,646	58,860

It will be noticed that while about 12 per cent of the total

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P. T. O.

total Christian aboriginal population was receiving education in 1941-42, only 1.4 per cent of the total non-Christian aboriginal population was receiving education in the same year. Assuming that there was no increase of population since 1941-42, the percentage of Christian aboriginal pupils to the total Christian aboriginal population had arisen by 1946-47 to 14 per cent, while the percentage of non-Christian aboriginal pupils had fallen to 1.25 per cent. It is thus obvious that there is tremendous disparity in the educational development of the two sections of the aboriginal population in this Province; and that up to 1946-47, when the present Ministry took office, the non-Christian aboriginals were regressing, while the Christian aboriginals were progressing. It would further appear that the percentage of education among the Christian aboriginals compares favourably with the corresponding percentage for the entire population of Bihar. The percentage of literacy for the entire population of Bihar in 1941 was only 9.19, as against about 12% among the Christian aboriginals; and while the figure of literacy for the whole Province in 1946-47 is not available, it is certain that the percentage for the whole Province will be much lower than among the Christian aboriginals (14%).

4. The disparity as regards educational and social development among the two sections of the aboriginal population is brought out even more clearly by the following figures. In 1946-47, 176 Christian aboriginal boys and 34 Christian aboriginal girls were receiving college education; the corresponding figures for non-Christian aboriginals were 21 and 1 respectively, even though, as already stated, the Christian aboriginals constitute only about 6 percent of the total aboriginal population. Even at the upper secondary stage, there was a similar disparity: 1933 Christian aboriginal boys and 613 girls were receiving education in 1946-47, while the corresponding figures for non-Christian aboriginals were 1023 and 11, respectively. The disparity was slightly reduced at

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P. T. O.

at the middle stage, though even at this stage, the total number of Christian pupils was considerably larger than of non-Christian pupils. It is only at the primary stage that the total number of non-Christian pupils was about 52,000, while the number of Christian aboriginal pupils was 49,000. But considering the respective population of Christian and non-Christian aboriginals the Christians are greatly ahead of the non-Christians even in primary education.

5. The total number of gazetted posts held by Christian aboriginals in 1949 was about 43, while the non-Christian aboriginls held but one gazetted post in the whole Province, in spite of the fact that they form about 94 per cent of the total aboriginal population. This gives a measure of the relative social development of the two sections of the aboriginal population.

6. It was also mentioned in my letter under reference that because of intensive work by foreign Christian Missions in the districts of Ranchi and Santal Parganas, the Christian aboriginals in these two districts are particularly advanced. The relevant figures for the Santal Parganas are not readily available; but it is reported that as many as 626 educational institutions are maintained by Christian Missions in Ranchi district, wholly or mainly, for the benefit of the Christian aboriginal population.

7. The Provincial Government hope that in view of the facts and figures cited above, the Government of India will be convinced that the recommendations made in para 3, and clause (e) of para 4 of my letter No.204-A., dated the 9th January, 1950, are fair and reasonable.

Yours faithfully,

Chief Secretary to Government.

257

Shrivastava,
12/1.

S. No. 45.

INSURE WISELY
INTERNATIONAL INSURANCE CERTIFICATES
N. Y. JAN 1950

LAW

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

File No.
Prefix Code
Entry No. 222/Secy

No.

Recd. from
Sent at H. M.
To
By

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.	Words.
Delhi	17			31	

Reed. here at H. M.

Law New Delhi

PC 10/061 Yr. Telegram 728/69C Janu
16th regd. List of Scheduled Castes
and Scheduled Tribes (1) Reply
sent Vide our letter of even no
Dated 16th January = Bejoy

N.B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

M GIPP Ahmj

P. 137 intra 259

S. No. 46 -

~~S. No. 46~~ -

GP—2522—19-12-58—1,00,000.

S.F.No.12.

(134)

GOVERNMENT OF HYDERABAD

No. 934/GAD-P/MS(29)/49 *Dated* 15th January 1950.
17a

ENCLOSURES

FROM

The Chief Secretary,
Government of Hyderabad,
HYDERABAD - Deccan.

M & R 1911

TO

The Secretary,
Ministry of Law,
Government of India,
NEW DELHI.

MINISTRY OF LAW
17 JAN 1950
File No.
Diary No. 233/50-C

SUBJECT :— LISTS OF SCHEDULED CASTES AND SCHEDULED TRIBES

P. 16/C

P. 48a/C.

Com. Br

SIR,

Please refer to your letter No. F.28/49-C, dated the 19th December 1949 and telegram of 7.1.50, on the above subject.

As desired, a list of Scheduled Castes and Tribes is herewith enclosed for notification. This is based on 1931 Census and is thus not up to date, and may require modification later on.

Regarding para 3 of your letter the views of Hyderabad are that

(i) if a member of the Scheduled Caste changes his religion, he should not be treated as a member of the Caste. Such a conversion is generally followed, sooner or later, by the severance of all ties with the caste as a whole and very often even with the relatives.

(ii) It is difficult to say who does or does not profess a tribal religion. Most of these tribal people even when they change their religion do so in a very lukewarm manner. Our answer to this question is in the affirmative.

Yours faithfully,

I.C.S.
(L.C.JAIN)
CHIEF SECRETARY.

RD
Encl:

961

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ANNEXURE 'A'

LIST OF ADI-HINDUS IN HYDERABAD ✓

I. Dher

1. Dher
2. Mala
3. Mahar

II. Madiga

4. Chambar
5. Dhor
6. Mochi
7. Mang
8. Madiga
9. Mehatar

III Minor classes

10. Dasari ✓
11. Dommara ✓
12. Garodi ✓
13. Budbukk ✓
14. Mehatar ✓
15. Anamuk ✓
16. Begari ✓
17. Dokkalwar ✓
18. Elamalwar ✓
19. Katipamula ✓
20. Malahannai ✓
21. Mala Jangam ✓
22. Manne ✓
23. Masti ✓
24. Mala Masti ✓
25. Mala Sanyasi ✓
26. Mathura ✓
27. Mondiwar
28. Naikapu
29. Pachabhotla
30. Padampari
31. Pamula
32. Sore
33. Sangari
34. Sindhi
35. Sare
36. Sunna
37. Atar ✓
38. Bagalu ✓
39. Bala Santhanam ✓
40. Mantu ✓
41. Bathini ✓
42. Bindli ✓
43. Chintala ✓
44. Gangani. ✓

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ANNEXURE 'B'

SLECTED TRIBES IN HYDERABAD

1. Andh
2. Bhil
3. Chenchu or Chenchwar
4. Erakala (a)
   + Korvi + Korwa
5. Gawari
6. Gond (b)
   (+ Naikpod+Rajgond)
7. Hill Reddis
8. Kolam (+Mannervarlu)
9. Koli (+Rajkoli)
10. Koya (c)
    (+ Bhine Koya
    + Rajkoya)
11. Lambara or Banjara (d)
    (+Mathula)
12. Pardhi

23. Pardhan

14. Baig
15. Dyandra
16. Yanadi

D. 583-P/50

GOVERNMENT OF PATIALA & EAST PUNJAB STATES UNION
HOME DEPARTMENT

No.PC-10/06-P

Dated Patiala, the 16, January, 1950.

To

The Secretary to the Government of India,
Ministry of Law,
New Delhi.

Specification of Scheduled Castes and
Scheduled Tribes.

.....

Sir,

With reference to your Ministry's letter No.F.28/49-C dated the 19th December, 1949, I am directed to say as under:-

1. As already intimated to the Government of India, Ministry of States, vide this Government's letters No. F.4(3) of 2006/49 dated the 5th May, 1949, and F.4(31) of 2006/49-47 B dated the 11th July, 1949, copy enclosed, the following classes may be specified under the Constitution of India as Scheduled Castes in relation to the Patiala and East Punjab States Union:-

(a) The 27 castes enumerated as Scheduled Castes in the Patiala State in the 1941 Census.

(b) The four castes among the Sikhs admitted as Scheduled Castes by the Constituent Assembly in relation to the East Punjab.

(c) The following castes recommended by the Union Government as being fit for inclusion among the Scheduled castes :-

(i) Lall-Begi
(ii) Lubana
(iii) Heri

A list of the castes, as mentioned above, is enclosed herewith. The list is as complete as it has been possible to make out, but it is understood that there will be no objection to additions being made to the list of Scheduled Castes now notified under article 341 of the Constitution, if and when this becomes necessary at a later stage.

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2. The Government of PEPSU are of the opinion that religion should have no bearing on an individual being classified as a member of a Scheduled Caste. The caste does not change with change of religion. If a Scheduled caste individual changes his faith, it should not in any way debar him from being treated as a member of Scheduled castes.

3. There are no Scheduled tribes in the Patiala and East Punjab States Union.

Yours faithfully,

Chief Secretary to Government.

From

B.R.Patel Esq., ICS.,
Chief Secretary to Government,
Patiala & East Punjab States Union.

To

The Deputy Secretary to Govt. of India,
Ministry of States,
New Delhi.

No.F.4(31) of 2006/49 Patiala, the 5th May, 1949.

Sir,

I am directed to refer to your letter No.D.4101-P/49 dated the 28th April, 1949, regarding the enumeration of Schedule castes in a new Schedule to the Draft Constitution enlisting them in detail in the various provinces. The letter in question was received in Patiala on the 29th April, 1949, and the time given was so short that it was not possible to get the data relating to the other Covenanting States other than the late Patiala State. The data are now being got ready and the Government hope that it will be possible to send a definita reply in about ten days' time.

2. Pending the compilation of the data the PEPSU Government would like to explain the situation as it exists at present. For this purpose, they have assumed that due to the uniform economy of this region, the information available in respect of the late Patiala State will be more or less representative of the conditions prevailing in the other Covenanting States.

3. The Scheduled castes were enumerated for the first time in the late Patiala State in the 1941 Census, a copy of the relevant para on page 308 of the Census Report 1941 is attached. The list enumerates the same castes as shown under the East Punjab in the Ninth Schedule to the Draft Constitution. It will not possibly be necessary to add to this list after a study of the Census Reports of the other Covenanting States as the economy of all the regions comprising the Union is almost the same. It is, however, significant to note some of the observations made by the Census Superintendent. He states that no enumeration or sorting was done under the nomenclature of Depressed or Scheduled Classes, but those, who professed Hinduism, but differed from high caste Hindus, were enumerated under their old nomenclature but were sorted under the

sub-head 'Schduled castes' of the head Hindus. There were about 27 sub-castes which were treated as Schedule castes provided their members did not profess any other religion, namely Sikhism or Mohamedanism. He goes on to add that owing to appeals by the reformers a large number of Schedule Castes preferred to forego their separate entity described by their old names and have willingly returned themselves either as Sikhs or as Muslims. The majority of Chuhras , Meghs, Ramdasias and Adharmis have declared themselves as Sikhs whereas ods, Dooms, Sansis etc have got themselves enumerated as Muslims.

4. It is thus clear that the mere mention of the nomenclature of a caste is not a guarantee that all the members belonging to it can be enumerated as 'Schedule castes' within the connotation of the term as understood for inclusion in the Government of India (Schedule castes) Order, 1936 which is the corner stone of the policy regarding Scheduled castes followed for the Draft constitution. Those members of these 27 Scheduled castes who got themselves enumerated as belonging to other religions viz as Sikhs and Muslims are being treated by this Government as belonging to the category of 'Other Backward classes' within the terms of the Government of India Ministry of Home Affairs' letter No.51/1/49-Public dated the 6th January, 1949, which was received with the States Ministry letter No.F.13(7)-IA/49 dated the 5th/7th February, 1949, relating to the preparation of lists and collection of information regarding Backward classes.

5. The total population in the Patiala State of the Scheduled Classes enumerated in the manner stated by the Census Superintendent was 89152 (p.309 ibid). Information regarding population in the other Covenanting States is being collected and will be intimated later as already pointed out.

6. The Government of Patiala and East Punjab States Union hope that the enumeration of the Scheduled castes and their population on the basis of the Census Reports 1941 will be sufficient for the purposes that the Secretariat of the Constituent Assembly has in view. Their own tentative view is that the present state of information in respect of these castes is so defective that it

will be desirable to conduct more investigation on the question before enumeration is made in the Ninth Schedule of the Draft Constitution. In the first place 1941 Census was not held in the Indian States with some objective in view as in the Dominion of India especially as regards Scheduled Castes and in the second place population changes have taken place on an extensive scale in the region covered by the P.E.P.S. Union.

Yours faithfully,

Sd/- B.R.Patel,
Chief Secretary.

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GOVERNMENT OF PATIALA & EAST PUNJAB STATES UNION
HOME DEPARTMENT

From

The Chief Secretary to Government of Patiala & East Punjab States Union,
Patiala.

To

The Deputy Secretary to Government of India,
Ministry of States,
New Delhi.

No.F 4(31) of 2006/49-47B.D/ Patiala the 11th July.

Sir,

I am directed to refer to this Government letter No.F4(31) of 2006/49 dated the 5th May, 1949 regarding the enumeration of Scheduled castes in a New Schedule to the Draft Constitution. The question has been further examined from the Census Reports of the various Covenanting States of the Union, and a final list of classes, which can legitimately be enumerated in this Schedule in the Patiala and East Punjab States Union, has been compiled. This includes:-

(a) all the Scheduled Castes already reported in the letter under reference,

(b) the four Scheduled Castes, which have been admitted as such among the Sikhs by the Constituent Assembly for inclusion in the New Constitution for India; and

(c) the following castes which the Government consider as fit for inclusion:-

(i) Lall-Begi.

(ii) Lubana.

(iii) Heri.

Yours faithfully,

Sd/-

Chief Secretary to Government of PEPSU.

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1. Ad Dharmis
2. Bawaria.
3. Chamar
4. Chuhra or Balmiki
5. Dagi or koli
6. Dumna or Doom
7. Ode
8. Sansi
9. Sarera
10. Bangali or Bangala
11. Marija or Marecha
12. Barar
13. Bazigar
14. Bhanjra
15. Chanal
16. Dhanak
17. Gagra
18. Gandhila
19. Khatik
20. Kori
21. Nat
22. Pasi
23. Perna
24. Sapela
25. Sirkiband
26. Meghs
27. Ramdasis
28. Ramdasi Sikh
29. Mazhbi Sikh
30. Kabir Panthi Sikh
31. Sikligar Sikh
32. Lal Begi
33. Labana.
34. Heri
35. Berua

Under Secretary to Govt.
Home Department.
PEPSU.

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Air Force (India) Form 96-A.

MESSAGE FORM

Signal Office File No.....

MESSAGE / HEADING		No. of Groups GR	Office Date Stamp
MESSAGE	IN		
HEADING	OUT		

(Above this line is for Signals use only)

FROM

TO

REPEATED

Originator's Number	Date	(Write horizontally)		
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May be sent AS WRITTEN
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*(2) NOT by Wireless
*(3) But if liable to interception or Capture SEND IN CYPHER

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Rank.....

Send in CYPHER
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*(2) NOT by Wireless

Signature.....

Rank.....

Date-Time-Group

Originator's Instructions
Degree of Priority

(*Strike out methods which do not apply. Below this line is for Signals use only.)

System in	Time in	Reader	Sender	System out	Time out	Reader	Sender	System out	Time out	Reader	Sender	T.O.R.

Bn. P.—3321/A(G 1806)—18.10.44—1,00,000 Pads.

S.No.49

S.No.144

1, Albuquerque Lane,
New Delhi.
January 24, 1950.

(144)

My dear Dr. Ambedkar,

In the List of Scheduled Castes to be issued under Article 341 of the Constitution, the following four "Depressed Classes" among the Sikhs are to be specially mentioned:-

(i) Kabir Panthi;

(ii) Sikligir;

(iii) Ramdasia;

(iv) Mazhabi

In the Party Meeting, Sardar Patel gave an assurance that members of these four Castes who are Hindus, will also be included in the list of Scheduled Classes. I hope you will see that this is done in the notifications which are to be issued shortly.

Yours sincerely,

Tek Chand

(Bakhshi Tek Chand)

The Hon'ble
Dr. B.R. Ambedkar,
Minister of Law,
Government of India,
New Delhi

277

S.No.49

1, Albuquerque Lane,
New Delhi.
January 24, 1950.

Dear Dr. Ambedkar,

In reference to our conversation that Pandit Thakar Das Bhargava and I had with you this morning, I give below the names of the "Depressed Classes" in the Punjab, who were excluded fromthe list of the Scheduled Castes prepared for the Government of India Act 1935:-

(i) Batwal;
(ii) Domna (Mahashe)
(iii) Pherera; and
(iv) Sanhais of Kangra.

The exclusion was based on the ground that many of them were receiving education and their social status had, to some extent, been raised. This, however, was not true of a large majority of the members of these Castes. During the last 14 years, they had been excluded not only from taking part in the elections for seats reserved for Scheduled Castes, but they also had been deprived of the benefits

p.t.o.

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(e.g., scholarships etc.) provided for them.

It is very necessary that they be included in the list of Scheduled Castes to be issued under the new Constitution.

With kind regards,

Yours sincerely,

(Bakhshi Tek Chand)

The Hon'ble
Dr. B.R. Ambedkar,
Minister of Law,
Government of India,
New Delhi

S.No.50

TELEGRAM

EXPRESS STATE

CHIEF SECRETARY

* GOVERNMENT

NUMBER F-28/49-C REFERENCE YOUR LETTER NUMBER

DATED ✗ JANUARY STOP PRESUME VIEWS CONTAINED THEREIN REPRESENT

VIEWS OF STATE GOVERNMENT FOR PURPOSES OF ARTICLES 341 AND 342 OF CONSTITUTION

STOP NOTIFICATION PROPOSED TO BE ISSUED MONDAY NEXT STOP REPLY IF ANY SHOULD

REACH THIS MINISTRY BEFORE THIRD

LAW

* 1.	PUNJAB GOVERNMENT, SIMLA -	✗ 17053-PG-49/7 dated 3rd Jan.
2.	ASSAM GOVERNMENT, SHILLONG -	Ex/Misc/154/49/13 d. 4th Jan.
3.	MADHYABHARAT GOVT.,GWALIOR -	120/Cord. d/7th Jan.
4.	UTTAR PRADESH GOVT.,LUCKNOW-	9456/III/15(15)49 d/7th Jan.
5.	WEST BENGAL GOVT.,CALCUTTA -	42-AR / RIR-42/49 d/9th Jan.
6.	BIHAR GOVERNMENT, PATNA. -	204A dated 9th Jan.
7.	RAJASTHAN GOVERNMENT, JAIPUR -	203/Elo. dated 10th Jan.
8.	MYSORE GOVERNMENT,BANGALORE -	M11348/Census d/10th Jan.
9.	Madras GOVERNMENT, MADRAS -	1842/49-3 d/11th Jan.
10.	MADHYAPRADESH GOVT., NAGPUR -	165-7613-II/49 d/11th January.
11.	ORISSA GOVT., CUTTACK. -	42-Reforms d/10th Jan.
12.	TRAVANCORE-COCHIN GOVT.,TRIVANDRUM -	63-12338/49/D.D. d/10th Jan.
13.	SAURASHTRA GOVT.,RAJKOT -	BCD/4-18/28/50 d/11th Jan.

No. F-28/49-C
GOVERNMENT OF INDIA.
MINISTRY OF LAW,

CONSTITUTION BRANCH.

New Delhi,30th January, 1950

Post copy forwarded in confirmation to:-

The Chief Secretary
to the Government of

for JOINT SECRETARY
to the Government of India.

14.	BOMBAY GOVT., BOMBAY -	3545/46-H d/14th Jan.
15.	HYDERABAD GOVT.,HYDERABAD(Dn.). -	934/GAD-P/MS(29)/49 dated 17th Jan.
16.	PEPSU GOVT., PATIALA -	PC-10/06-P dated 16th Jan.

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T. S.

S. No. 51.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at ____ H. ____ M. | Sent at ____ H. ____ M. | Office Stamp.

From ____ | To ____ | MINISTRY OF LAW 1 FEB 1950

By ____ | By ____ | File No. ____ Diary No. 395/50-C

----- X OL SHILLONG 1 STE -43 LAW NEWDELHI --

-- NO 31- AD REFCE YOUR TELEGRAM NO F -28/49 K OF 30- TH INST (-)
VIEWS EXPRESSED IN LETTER NO EX / MISC -154/49/13 DATED 4- TH
JANUARY REPRESENT VIEWS OF STATE OF ASSAM FOR PURPOSES OF ARTICLES 341
AND 342 OF CONSTITUTION -- DEPUTY ADVISER -

283

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix / Code / Cable. S. No. 52 No. 474

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From ____ | To ____

By ____ | By ____

Office of Origin. | Instructions.

MINISTRY OF LAW 15 FEB 1950 File No. Diary No. 385/50-C

O SP CUTTACK 31 STE 25 LAW NEW DELHI =

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285

N.B.—The name of the sender, if telegraphed, should be written after, but separated from, the text.

S.NS.53

M&R 4/2

No. 1355

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

MINISTRY OF LAW

Recd. at 1 = FEB H. 1950 M.	Sent at H. M.	Office Stamp.
From File No.	To	
By Diary No. 386/50-C	By	

O R F Hyderabad K 31 Ste 33 LAW New Delhi

Number 1830/MS/29/49 Refce your Telegram Number F-28/49 G (STOP) Views contained in our Letter No. 934/Gad-P/MS(29)/ dated Seventeenth January Present Views of The Hyderabad Govt = Chief Sec

287

S.NS.54

No. 915

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at H. M.	Sent at H. M.	Office Stamp.
From	To	
By	By	

X QG MADRAS F 1 STE 24 LAW NEW DELHI

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MINISTRY OF LAW

2 FEB 1950

File No.

Diary No. 397/50-C

289

B. T. B.

S. No. 55/2 Cal (15)

No.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at 20 M. 57 M.	Sent at ... M.	Office Stamp
From VWL 187	To MINISTRY OF LAW	
By	By 2 FEB 1950	
	File No.	
	Diary No. 400/50	

X/SK Telegram

Kalu/New Delhi

202AR RJR/12/49 your telegram f-28/49-C

of yesterday Stop

forwarded to our Letter 42AR/R

-IP/49 Dated ninth January Represent view

of State govt for purposes of articles

341 and 342 of Constitution

of West Bengal

291

S. T. B.

S. No. 57 1073

No.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at 16 H. 25 M.	Sent at H. M.	Office Stamp.
From Simla	To	
By	By	

MINISTRY OF LAW
2 FEB 1950
File No.
Diary No. 399/50-C.

Simla C I St 4/6

Law. N D.

No. 833/PS/50. Reference your Telegram
4/28/49. C. January 30. Stop Views conveyed
in this govt letter (D. 391) C
of third January Represent views
of Punjab State govt for purpose
of articles 341 and 342 of
Constitution of India # Para 293

S. No. 57

No. 1429

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Recd. at H. M.	Sent at H. M.	Office Stamp.
From	To	
By	By	

X RB GWALIOR R-S 1 # 74 Law N-D

858/CORD YOUR TELEGRAM JANY THIRTIETH CONCERNING SCHEDULED CASTES AND TRIBES STOP GOVERNMENT VIEWS WITH REFERENCE TO ARTICLES 341 AND 342 OF CONSTITUTION ARE OUT IN MY LETTER NUMBER 120-CORD OF JANY NINE STOP (D. 391C) WOULD SUGGES HOWEVER IN INTEREST OF CLARITY THAT WORDS QUOTE BHILS1 INCLUDING ALL TRIBES WITHIN THE BHIL GROUP UNQUOTE SHOULD REPLACE ENTRY AGAINST ITEM ONE OF LIST OF SCHEDULED TRIBES SENT TO YOU -------

CHIEFSECY-----395

MINISTRY OF LAW
2 FEB 1950
File No.
Diary No. 398/50-C.

295

S.No. 58

No. 473-451-II

GOVERNMENT OF MADHYA PRADESH
General Administration Department.
.....

MINISTRY OF LAW
1 FEB 1950
File No.....
Diary No. 392/50-C,

From

Shri B. N. Kunte, I. A. S.,
Additional Secretary to Government,
Madhya Pradesh.

To

The Secretary to the Government of India,
Ministry of Law,
New Delhi.

Dated, Nagpur the 31st January 1950.

Subject: Scheduled Castes and Scheduled Tribes in Madhya Pradesh.
....

Sir,

I am directed to refer to your telegram No. F-28/49-C dated the 30th January 1950 and to confirm that the views contained in this Department letter No. 165-7613-II/49 dated the 11th January 1950 represent those of the State Government for purposes of Articles 341 and 342 of the Constitution.

Yours faithfully,

B. Kunte

Additional Secretary to Government,
Madhya Pradesh,
General Administration Department.

Enc: nil.

VDH 311

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S.No. 59

159

EXPRESS

STATE
MINISTRY OF LAW
- FEB 1950
File No.
Diary No. 403/50-S

ADDRESSED LAW
NEWDELHI

REPEATED STATESIND
NEWDELHI

858-CORD YOUR TELEGRAM JANUARY THIRTIETH CONCERNING SCHEDULED CASTES AND TRIBES STOP GOVERNMENT VIEWS WITH REFERENCE TO ARTICLES 341 AND 342 OF CONSTITUTION ARE SETOUT IN MY LETTER NUMBER 120-CORD OF JANUARY NINE STOP WOULD SUGGEST HOWEVER IN INTEREST OF CLARITY THAT IN WORDS QUOTE BHILS INCLUDING ALL TRIBES WITHIN THE BHIL GROUP UNQUOTE SHOULD REPLACE ENTRY AGAINST ITEM ONE OF LIST OF SCHEDULED TRIBES SENT TO YOU

CHIEFSEC

Madhya Bharat Government
Co-ordination Department.

No. 858..Cord, Gwalior, dated | Feb. 1950.

Copy by post in confirmation is forwarded to :-

1. Secretary to the Government of India, Ministry of Law , New Delhi.
2. Secretary to the Government of India, Ministry of States, New Delhi, in continuation of endorsement No. 121. Cord, dated the 9th January 1950

Chief Secretary.

299

S No 51.

GOVERNMENT OF

THE UNITED STATE OF TRAVANCORE AND COCHIN

No.C3-12338/49/D.D.

Government Secretariat,
Development Department,
(Co-operation Section)
Trivandrum,
Dated 25--1--1950.

From

The Secretary to Government.

To

Sri. K. T. Bhandarkar,
Joint Secretary to Government of India,
Ministry of Law,
NEW DELHI.

Sir,

Sub:- Details regarding Scheduled Castes and Scheduled Tribes in the United State of Travancore & Cochin - Notification to be issued by the President of the Republic of India.

Ref:- Telegram dated 2--1--1950 from your Ministry

In acknowledging receipt of your telegram on the subject cited above, I write to inform you that this Government have in their letter No.C3-12338/49/D.D. dated 10--1--1950 replied to the points raised in your letter No.F/28/49-C dated 19--12--1949.

Yours faithfully,

Secretary to Government.

INVEST WISELY
NATIONAL SAVINGS CERTIFICATES

S. No. 12.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix ____ Code ____ No. 6.

Office Stamp

Recd. from MINISTRY OF LAW 4 FEB 1950

By

File No.

Diary No.

Handed in at (Office of Origin)

Sent at ____ H. ____ M.

To

By

Date.	Hour.	Minute.	Service Instructions.	Words.
	18	10		

TO

Recd. here at 20 H. M.

X SB LUCKNOW 3 STE 34 LAW MINISTRY NEW DELHI

= 799/ III REFCE YOUR TELE NO F - 28/ 49- C OF THIRTIETH JAN STOP YOUR PRESUMPTION THAT OUR LETTER OF THE SEVENTH JAN REPRESENTTS VIEWS OF UTTAR PRADESH GOVT IS CONFIRMED = UPAO =

N.B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

MGIPAh.—

303

S.No.63.

907 (173)

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix } ____ Code ____ No.

Recd. from ____ By ____

Sent at ____ H. ____ M. To ____ By ____

Office Stamp

MINISTRY OF LAW

Handed in at (Office of Origin) 4 FEB 1950

Date.	Hour.	Minute.	Service Instructions.	Words.

TO File No.....
Diary No.....

Recd. here at ____ H. ____ M.

X Q BOMBAY S 3 STE 41 LAW NEW DELHI

3545/46 H PRESUMPTION MADE IN YOUR TELEGRAM F 28/49 C JANUARY 30 TH
THAT VIEWS CONTAINED IN MY LETTER 3545/46 H FOURTEENTH JANUARY
Represent views OF STATE GOVERNMENT FOR PURPOSES OF ARTICLES 341 AND
342 CORRECT = RESTIS =

N.B. The name of the Sender, if telegraphed, should be written after, but separated from, the text.

MGIPAh—

305

S.No.70.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix } ____ Code ____ MINISTRY OF LAW No. 91

Office Stamp

Sent at 3 FEB 1950 To File No..... By Diary No. 406/50-C

Date.	Service Instructions.	Words.

X SC PATNA 2 STE 50 LAW NEW DELHI
911-A DATED SECOND FEBRUARY REFCE YOUR TEL
NO F-28-49-8 DATED THIRTIETH JANY STOP CONFIRMED
THAT STATE GOVERNMENT LETTER NO 204-A DATED NINTH JANY
SUPPLEMENTED BY LETTER NO 343-A DATED TWELVTH JANY
REPRESENTS VIEWS OF STATE GOVERNMENT FOR PURPOSES OF
ARTICLES 341 & 342 OF CONSTITUTION = BIHAR =

N.B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

MGIPAh—

307

S.NO.7

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

(181)

Recd. at ____ H ____ M.	Sent at ____ H ____ M.	Office Stamp.
From ____	To Dy No 441/50-C	D 761/2
By ____	By ____	

X PK RAJKOT 4 RAJ 18 LAW NEW DELHI =

BCA /4/1.9./28 REFC YOUR TELEGRAM NO F /28/49/ C DATED

THIRTIETH JANY STOP PRESUMPTION CONFIRMED = CHIEF SEC

M.R

309

S.No.72

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

MINISTRY OF LAW
3 FEB 1950
File No
Diary No. 417/50-C

Class / Prefix ____ Code ____

Recd. from ____ By ____

Sent at ____ H. ____ M.
To ____
By ____

No. C.

Office Stamp.

Words.

:: :: X OF BANGALORE 3 38 LAW NEWDELHI =

REFERENCE YOUR TELEGRAM NUMBER F -28/49- C DATED THIRTIETH JANUARY (STOP) VIEWS FURNISHED IN LETTER NUMBER M -11348/ CENSUS DATED TENTH JANUARY REPRESENT VIEWS OF THIS GOVERNMENT FOR PURPOSES OF ARTICLES — 341 & 342 OF CONSTITUTION = MYSORE GOVERNMENT = 311

N. B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

S.No.73

MINISTRY OF LAW
7 FEB 1950
File No
Diary No. 463/50-C

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix ____ Code ____

Recd. from Patiala By ____

Sent at 5 H. 45 M.
To ____
By ____

No.

Office Stamp.

Office of Origin. Patiala | Date. 6 | Service Instructions. SLE | Words. 32

TO Law new Delhi

Pc-10-06/Pcour f/28/49/c of 30th stop views in our letter of even number dated sixth Jany are state govt views for Purposes of articles 341 and 342 = Pepsu

N.B.—The name of the Sender, if telegraphed, should be written after, but separated from, the text.

Dy. No 440/80-C,

S. No. 76

M.R

1/2

44

166

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix } ____ Code ____ No. C.

Recd. from ____ By ____

Sent at ____ H. ____ M. To ____ By ____

Office Stamp

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions	Words.

TO

Recd. here at ____ H. ____ M.

O QH HYDERABAD K 4 STE 58 LAW NEW DELHI

= NO 3080/ GAD = P = MS (29)/49 REFCE YOUR TELEGRAM NO

180-11 DATED THIRD INSTANT (.) REQUIRED ELUCIDATION CONTAINED ON THE

REVERSE OF ANNEXURE C SENT WITH THIS OFFICE NO 934 OF NIN TEEN H JANY

1950 PLUS MARK MEANS INCLUSION (.) YOUR PRESUMPTION CORRECT THAT IS

(The references are to letters of States Ministry).

315

187

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

Class / Prefix } ____ Code ____ No. C.

Recd. from ____ By ____

Sent at ____ H. ____ M. To ____ By ____

Office Stamp

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions	Words.

TO

Recd. here at ____ H. ____ M.

ERAKALA INCLUDES KORVI OR KORWA AND NAIKPOD INCLUDES RAJGOND =

CHIEFSEC =

317

The usages of the Service, in telegraphing, encode or writing other, are expected from the user.

EGIPPAb—2.

S.No.78.

C.-3.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

MINISTRY OF LAW
7 FEB 1950
File No.
Diary No. 469/50-C,

No.

Received here at ___ H. ___ M.

NEW DELHI 7 FEB.50 C.T.O.

BUY NATIONAL SAVINGS CERTIFICATES

620

189

000 OL BOMBAY S 7 EMERGENCY PTY STE 45 IMMEDIATE

LAW NEW DELHI =

8.173/Con

= 3545/46- H CONTINUATION MY TELEGRAM 3545/46- H =EBY

3 RD REGARDING SCHEDULED CASTES AND SCHEDULED

TRIBES PLEASE INCLUDE WAGHERS REPEAT WAGHERS FROM THE

OKHAMANDAL IN KATHIAWAR AS SCHEDULED TRIBES IN

NOTIFICATION PROPOSED TO BE ISSUED BY PRESIDENT REGRET

INCONVENIENCE CAUSED DUE TO DELAY = RESTIS =

This form must accompany any enquiry respecting this telegram.

319

युक्त प्रान्तीय जैसवार (परिगणित जाति) पंचायती महासभा

36, Luker ganj

190

पत्र संख्या 357/50 S.No.79 इलाहाबाद, दिनांक 1. 2. १९५० ई०

The private Secretary to
Hon'ble Dr. B.R.Ambedkar.,
Minister of Law , NEW DELHI.

Sir,

I have the honour to submit 3 copies of the enclosed representation (already submitted to His Excellencey the Governor, Uttar Pradesh)for information and favour of necessary action by the Honourable Baba Sahib.

Yours faithfully,

Nand Lal Jaiswar

(NAND LAL JAISWAR)
General Secretary.

J.S. Mulazem 6/2

MINISTRY OF LAW
6 FEB 1950
File No.....
Diary No. 467/50-C

321

(191)

To

HIS EXCELLENCY SHRI HORMASJI PEROSHAW MODY, M.A., LL.B.,

GOVERNOR OF UNITED PROVINCES

May it please Your Excellency,

In pursuance of clause (1) of Article 341 (Part XVI-Special Provisions relating to Minorities) of the constitution of Indian Republic, we, the representatives of the U. P. Jaiswar Panchayeti Mahasabha, beg to say that the term 'Jaiswar' may kindly be included in the list of Scheduled Castes of the U.P. as was done in the case of 'Jatava' under U. P. General Administration Department G. O. No. 1011/III—28-(3)-38, dated April 7,1941, when the All India Jatava Youth League represented their case.

2. At the time of the Simon Commission and the Franchise Committee, the Jatava, Jaiswar etc. were lumped together under Chamar group and shown as such (Chamar) in the U. P. Scheduled Caste list. Later on, on the representation of the All India Jatava Youth League, the term 'Jatava' was shown separately in the said list under the G. O. mentioned above.

3. The case of Jaiswars is similar. They exist as a community in these provinces, are more numerous than the Jatavas and form a good majority in Jaunpur, Azamgarh, Gorakhpur, Deoria, Banaras, Mirzapur, Allahabad, Lucknow, and Kanpur, etc. They are everywhere known by this name and give out and record their caste as 'Jaiswar'. By reason of their not being included in the Scheduled Caste list by their prevalent name i. e. Jaiswar, misunderstanding arises in the matter of electoral rolls, educational facilities, scholarships, appointment to services etc.

4. Wherefore, it is humbly prayed that the term 'Jaiswar' may be specifically mentioned in the U. P. Scheduled Caste list and they may be recommended to the President of the Indian Republic for favour of notification as such i. e. as 'Jaiswar'.

For this act of kindness we shall feel grateful to Your Excellency.

323

We beg to subscribe,

Your Excellency's faithfully,

The representatives of the U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha

1. Krishna Kumar Sant, B. A., LL.B.,	Mirzapur
2. Laxman Prasad	Kanpur
3. Murli Dhar	Kanpur
4. Pyare Lall	Kanpur
5. Sheo Mangal Pd.	Gorakhpur
6. Bechu Ram	Allahabad
7. Fatehchand alias Fekoo Ram	Gorakhpur
8. Garib Das	Mogalsarai
9. Shyam Lall	Banaras
10. Shanti Devi	Agra
11. Ram Pyare Lal Bhagat	Allahabad
12. Nepal Das Bhagat	Jaunpur
13. Ram Prasad	Meerut
14. Phool Kumari	Allahabad
15. Ram Saroop	Lucknow
16. Bhola Nath	Allahabad

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P. T. O.

17.	Basant Lall	Ghazipur
18.	Vibhuti Prasad	Deoria
19.	Prabhu Dayal	Allahabad
20.	Raja Ram	Gorakhpur
21.	Babu Nandan	Jaunpur
22.	Jagga Das Bhagat	Sultanpur
23.	Ram Sanehi	Banares
24.	Moti Lall	Fatehpur
25.	Ramesh Chandra	Gorakhpur
26.	Bhagwan Das	Azamgarh
27.	Chhotey Lal	Lucknow
28.	Santoo Ram	Kanpur
29.	Ram Sumer	Faizabad
30.	Sheoraj Ram	Allahabad
31.	Raghunath Prasad	Ballia
32.	Jhoori Lal	Jaunpur
33.	Ram Krishan	Gorakhpur

(Hari Lal Jaiswar,)
President,

Nand Lal Jaiswar,
General Secretary,

U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha, Allahabad.

36, Lukerganj, Allahabad.
Dated January 27, 1950.

To

HIS EXCELLENCY SHRI HORMASJI PEROSHAW MODY, M.A., LL.B.,

GOVERNOR OF UNITED PROVINCES

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6. Bechu Ram	Allahabad
7. Fatehchand alias Fekoo Ram	Gorakhpur
8. Garib Das	Mogalsarai
9. Shyam Lall	Banaras
10. Shanti Devi	Agra
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P. T. O.

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18. Vibhuti Prasad	Deoria
19. Prabhu Dayal	Allahabad
20. Raja Ram	Gorakhpur
21. Babu Nandan	Jaunpur
22. Jagga Das Bhagat	Sultanpur
23. Ram Sanehi	Banares
24. Moti Lall	Fatehpur
25. Ramesh Chandra	Gorakhpur
26. Bhagwan Das	Azamgarh
27. Chhotey Lal	Lucknow
28. Santoo Ram	Kanpur
29. Ram Sumer	Faizabad
30. Sheoraj Ram	Allahabad
31. Raghunath Prasad	Ballia
32. Jhoori Lal	Jaunpur
33. Ram Krishan	Gorakhpur

(Hari Lal Jaiswar)
President,

Nand Lal Jaiswar,
General Secretary,

U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha ,Allahabad.
36, Lukerganj, Allahabad.
Dated January 27, 1950.

198

Proceedings of the
U. P. Jaiswar Panchayati Mahasabha

The U. P. Jaiswar (Scheduled caste) Panchayati Mahasabha Conference held on Play-ground of the Government Central Press, Allahabad, on January 26, 1950, under the presidentship of Shree Shyam Sunder Lal, to celeberate the inauguration of the Indian Republic.

The Pandal of the Conference was beautifully decorated. Four main entrances were erected named as Dr. Rajendra Prasad Gate, Pandit Jawahar Lal Nehru Gate, Dr. B. R. Ambedkar Gate and Jaiswar Uddhar Sangh Gate.

There was a huge gathering and delegates from various districts of the Province attended the Conference. Great enthusiasm prevailed. The Conference opened with the hoisting of the National Flag by the President of the Conference and the singing of the National Anthem "Jana Gana Mana Adhinaik" by the students. The preamble of the Constitution of the Republic of India and the messages of the Leaders were read out and the significance of the new constitution was explained to the audiance. Thereafter the greetings of the Conference were conveyed to the President and the Prime Minister of India through the following telegram:—

"This Conference of U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha offers respectful greetings on this solemn day of inauguration of the Indian Republic. This day will live in our Country's history as a day of unique significance coinciding with the day on which the Indian people under the leadership of the Father of the Nation, Mahatma Gandhi, twenty year, ago declared their Independence. The event marks the statutory abolition of untouchability and opens a new chapter in the life of the Scheduled Castes. They immensely feel the glow of freedom on this day of National rejoicing."

On January 27, 1950, the following Conferences were also held in the same Pandal to celeberate the inauguration of the Republic:—

1. U. P. Jaiswar Mahila Conference under the presidentship of Shrimati Basanti Devi.
2. U. P. Jaiswar Students Conference under the presidentship of Shri Ram Ratan, University Student.
3. U. P. Jaiswar Youth Conference under the presidentship of Shri Krishna Kumar Sant, B. A., LL. B., Vakil, Mirzapur.
4. Sant Sammelan under the presidentship of Swami Sheo Mangal Prasad of Gorakhpur.

The function terminated amidst shouts of BHARAT MATA KI JAI, MAHATMA GANDHI KI JAI.

Hari Lall Jaiswar,
Chairman,

Nand Lall Jaiswar,
General Secretary,

Reception Committee

U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha Conference, Allahabad

Allahabad:
Dated January 27, 1950

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Proceedings of the
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Hari Lall Jaiswar,
Chairman,

Nand Lall Jaiswar,
General Secretary,

Reception Committee

U. P. Jaiswar (Scheduled Caste) Panchayati Mahasabha Conference, Allahabad

Allahabad:
Dated January 27, 1950

GOVERNMENT OF RAJASTHAN.

No.F.15(7)L/50.

From:- The Chief Secretary to the
Government of Rajasthan,
J a i p u r.

MINISTRY OF LAW
14 FEB 1950
File No. .....
Diary No. 514/50-C

To

The Joint Secretary,
Government of India,
Ministry of Law,
NEW DELHI.

Dated Jaipur the 9th Feb., 1950.

Sir,

In continuation of my letter No:203/ELC dated the 10th January, 1950, I am directed to intimate the views of the Rajasthan Government on the two questions raised in para 3 of your letter No:F.28/49 dated the 19th December, 1949, as below :-

(1) A member of the Scheduled Caste if he has changed or subsequently changes his religion, should cease to be treated as a member of the Scheduled Caste, and

(2) a person not professing the tribal religion should not be treated as a member of a Scheduled tribe.

Yours faithfully,

K. Ramakrishnan

Chief Secretary to the Government
of Rajasthan, Jaipur.

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(201

S. No. 80. — No. 106-PM.

New Delhi,
February 13, 1950.

My dear Vallabhbhai,

I am sending you a copy of a letter sent to me by the President. I think that the appointment of the Commission under Article 340 of the Constitution as well as the appointment of a Special Officer under Article 338 might well be delayed for the present.

Action under Articles 341 and 342 and Schedule V, paragraph 6, sub-paragraph (1) should be taken fairly soon. I believe that States have been asked to supply the necessary information already and perhaps much of it has been obtained.

Yours

Sd/- Jawaharlal.

The Hon'ble Sardar Vallabhbhai Patel,
1 Aurangzeb Road,
New Delhi.

Shown to H.M. PM 18/2/50

332

Copy.

(202

11th February 1950.

My dear Mr. Prime Minister,

You may be aware that Thakkar Bapa has not been keeping well. He sent to me Sjt. Rangaiya, Secretary of the Adimjati Sevak Mandal, with certain suggestion regarding action to be taken by the Government under the Constitution. The action to be taken is indicated in Articles 338, 340, 341 and 342, and Schedule V, paragraph 4, and Schedule V, paragraph 6. He was very keen that the Commission to investigate the condition of backward classes contemplated in Article 340 should be appointed soon so that it might start work and make a report for such action as it may recommend to the Government. The Commission, when appointed, is likely to take time, and he is therefore keen on having its early appointment. Under Article 341 the castes, races or tribes have to be scheduled for the purposes of the Constitution after they are notified. We shall require this classification at the time of the election under the new Constitution and it is as well therefore that the notification issues early under Articles 341 and 342. Article 338 contemplates the appointment of a Special Officer for safeguarding the interests of the Scheduled Castes and Scheduled Tribes; and Schedule V, paragraphs 4 and 6, deals with the information of Tribes Advisory Councils and the declaration of areas as Scheduled Areas. As there is no Minister that I know who deals with this question of the Scheduled Castes and Scheduled Tribes, I am passing his request on to you. I advised Mr. Rangaiya to approach you independently because it is really for the Ministry to take action although in these Articles the President is mentioned as the appointing authority.

Yours sincerely,

Sd/- Rajendra Prasad.

The Hon'ble
Pandit Jawaharlal Nehru,
Prime Minister,
New Delhi.

335

An extract from D.O. No. 23/10/50-Public, New Delhi-3, the 23rd February 1950, from Shri HVR Iengar, to Shri A.V. Pai, ICS, Principal Private Secretary to Hon'ble the Prime Minister.

Will you please refer to Sardar Patel's demi-official letter No. 125/DPM/50 dated the 20th February 1950 to the Prime Minister regarding provisions in the Constitution for Scheduled Castes and Scheduled Tribes?

2. I have ascertained that it is the Ministry of Law who are concerned with the specification of Scheduled Castes and Scheduled Tribes under Articles 341 and 342 of the Constitution of India. I am, therefore, asking them to inform you direct of the action so far taken by them in connection with the preparation of lists of Scheduled Castes and Scheduled Tribes to be notified by the President under the provisions of those Articles.

D.O.No.F.28/49-C.

MINISTRY OF LAW,

S.No. 8

New Delhi,
28th February, 1950.

My dear Pai,

Please refer to Iengar's D.O.No.23/10/50-Pb. dated the 23rd February, 1950, and, in particular to paragraph 2 thereof relating to the issue of notifications by the President under articles 341 and 342 of the Constitution, specifying which castes, races or tribes etc. are to be deemed to be Scheduled Castes and Scheduled Tribes for the purposes of the Constitution.

2. The position is that, as provided in the said articles, the Governors and Rajpramukhs have been consulted, and we have received lists of Scheduled Castes and Scheduled Tribes pertaining to their States, as also their views on certain points. These lists have been examined along with those prepared in the Constituent Assembly Secretariat when it was intended that lists of Scheduled Castes and Scheduled Tribes should form part of the Constitution itself. It has been found that certain States have proposed the omission from the lists of certain communities originally proposed to be included therein, and some of which were included in the Order of 1936 - but have not advanced substantial reasons for such omission. As it is necessary to ensure that no caste or tribe reasonably entitled to the protection and privileges provided for in the Constitution should be deprived of them without sufficient reason, it may be found necessary to ask the State Governments to specify their reasons for the proposed omissions before the lists are finalised. This precaution is necessary because once the notifications are issued they cannot be amended except by Parliamentary legislation. We

are....

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are, of course, making every effort to expedite the issue of the notification; and we hope to be able to finalise the draft within three or four weeks at the latest.

Yours sincerely,

B G Murdeshwar

(B.G.Murdeshwar)

Shri A.V.Pai, I.C.S.,
Principal Private Secretary
to the Hon'ble Prime Minister,
New Delhi.

S.No. 8

205

GOVERNMENT OF INDIA
Ministry of Law.

No. F.28/49-C.

From

B.G.Murdeshwar,
Deputy Secretary to the Government of India.

To

The Chief Secretary to the
Government of Madras,
MADRAS.

New Delhi, dated the 11th March, 1950.

Sir,

Reference your letter No.1842/49-3 dated the 11th January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the notifications to be issued by the President under articles 341 and 342 of the Constitution.

2. On a comparison of these lists with those prepared in the Constituent Assembly Secretariat, copies of which were sent to you withthis Ministry's letter of even number dated the 19th December, 1949, it is observed that the following communities have been omitted from your lists:-

SCHEDULED CASTES:	(10)	Aranadan ✓ Battada ✓ Dombo ✓ Haddi ✓ Kattunayakan Kudiya Kuruman Paniyan Pano ✓ Sachandi ✓
SCHEDULED TRIBES:		Badaga.

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The factual data in support of the reasons for the exclusion of "Badagas" from the list of Scheduled Tribes and for the transfer of "Kudiyas" from the List of Scheduled Tribes to the list of Scheduled Castes, may, kindly be furnished to this Ministry. As the Government of India are anxious to ensure that no community which is reasonably entitled to the protection and privileges provided in the Constitution should be deprived of them without very substantial reason, it is requested that the reasons which prompted the State Government to suggest the

P.T.O.

omission of the other communities from the list together with the data in support thereof may also kindly be conveyed to this Ministry. As the matter is one of urgency, a reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

Yours faithfully,

(B.G.MURDESHWAR)
Deputy Secretary to the Government of India.

B.

S.No.831

EXPRESS LETTER.

GOVERNMENT OF INDIA
Ministry of Law

No. F.28/49-C. New Delhi, the 11th March, 1950.

To

The Additional Secretary to
the Government of Orissa,
Home Department,
CUTTACK.

Reference your letter No.42/Reforms dated the 10th January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the notifications to be issued by the President under articles 341 and 342 of the Constitution.

2. On a comparison of these lists with those prepared in the Constituent Assembly Secretariat, copies of which were sent to you with this Ministry's letter of even number dated the 19th December, 1949, it is observed that you have suggested the omission of the communities "Saunti" and "Gond" from the lists of Scheduled Castes and Scheduled Tribes respectively. As the Government of India are anxious to ensure that no community which is reasonably entitled to the protection and privileges provided in the Constitution should be deprived of them without very substantial reason, it is requested that the reasons which prompted the State Government to suggest the omission of these communities from the lists together with the factual data in support thereof may kindly be conveyed to this Ministry. As the matter is one of urgency, a reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

Bgn

(B.G.MURDESHWAR)
Deputy Secretary to the Government of India

B.

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S. No. 84.

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EXPRESS LETTER

GOVERNMENT OF INDIA
Ministry of Law

No. F.28/49-C. New Delhi, Dated the 11th March, 1950.

To

The Chief Secretary to the
Government of Hyderabad,
HYDERABAD.

A reference is invited to letter No.3591/3/EC dated the 4th January, 1950, from the Joint Secretary to the Government of Hyderabad to the All India Dhiwar Mahasabha Gandhi Gunj, Subzimandi, Jubbulpore, informing that organisation that the question of the inclusion of the Dhiwar community in the lists of Scheduled Castes or Scheduled Tribes pertaining to that State would be considered at the appropriate time.

It is observed from the lists furnished to this Ministry with your letter No.934/GAD-P/MS(29)/49 dated the 15/17th January, 1950, that this community does not figure in either of them. As the Government of India are anxious to ensure that no community which is reasonably entitled to the protection and privileges provided in the Constitution should be deprived of them without very substantial reason, it is requested that the reasons for the non-inclusion of this community in either list, supported by factual data, may kindly be conveyed to this Ministry, so as to reach them not later than the 20th March, 1950.

(B.G.MURDESHWAR)
Deputy Secretary to the Government of India.

B.

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GOVERNMENT OF INDIA
Ministry of Law

S. No. 85.

No. F.28/49-C.

From

B.G.Murdeshwar,
Deputy Secretary to the Government of India.

To

The Chief Secretary to the Government of Punjab,
Simla.

New Delhi, dated the 11th March, 1950.

Sir,

Reference your letter No. 17054-PG-49/7 dated the 3rd January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the notifications to be issued under articles 341 and 342 of the Constitution.

2. It has been suggested that the "Sanhais of Kangra" should be included in the list of Scheduled Castes pertaining to your State; it is not, however, known whether this community is the same as "Sanhal", which figures as item No.28 in the list sent by you. It is requested that your views on this suggestion may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

Yours faithfully,

B.G.

(B.G.MURDESHWAR)
Deputy Secretary to the Government of India.

B.

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S. No. 86.

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No. 28/49-C.
GOVERNMENT OF INDIA
MINISTRY OF LAW

Express Letter

New Delhi,
March 11, 1950.

The Chief Secretary to the
Government of Uttar Pradesh,
LUCKNOW.

Reference memorial submitted to His Excellency the Governor of the Uttar Pradesh by the U.P. Jaiswar (Scheduled Caste) Panchayati Mahasabha, Allahabad, dated the 27th January, 1950, (copy enclosed for ready reference) praying that "Jaiswar" be included as an item in the list of Scheduled Castes pertaining to your State.

2. This Ministry may kindly be informed of the action taken on this memorial, and furnished with factual data on the economic and social condition of this community.

3. As this information is required in connection with the Notification to be issued by the President under article 341 regarding Scheduled Castes, it is requested that a reply may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

BGM

(B.G. Murdeshwar)
DEPUTY SECRETARY

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No. 28/49-C.
GOVERNMENT OF INDIA
Ministry of Law

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S. No. 87.

EXPRESS LETTER

New Delhi,
March 11, 1950.

The Chief Secretary to the
Government of Bihar,
Patna.

Reference your letter No. 204A dated the 9th January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the Notifications to be issued by the President under articles 341 and 342 of the Constitution.

2. As the Government of India are anxious to ensure that no community which is reasonably entitled to the protection and privileges provided for in the Constitution should be deprived of them without very substantial reason it is requested that factual data may kindly be furnished in support of the State Government's reasons for suggesting the omission of the 'Ghatwar' and the 'Khetauri' tribes from the list of Scheduled Tribes, pertaining to the State of Bihar.

3. A reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

(B.G. MURDESHWAR)
DEPUTY SECRETARY

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S. No. 88.

(211)

EXPRESS LETTER.

No.28/49-C. March, 1950.

To Additional
The ~~Chief~~ Secretary to the
Government of Madhya Pradesh,
N A G P U R.

P.110/C. Reference your letter No.165-7613-II/49 dated the 11th January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the notifications to be issued by the President under articles 341 and 342 of the Constitution.

2. On a comparison of these lists with those prepared in the Constituent Assembly Secretariat, copies of which

P.1/C. were sent to you with this Ministry's letter of even number dated the 19th December, 1949, it is observed that ~~you have decided to omit from the lists~~ the following communities have been omitted from your lists.

SCHEDULED CASTES:	Chouhan
	Ganda
(9)	Jangam
	Khatik
	Kumhar
	Mala
	Mochi
	Panka
	Pardhi
SCHEDULED TRIBES:	Pando
	Koli
(6)	Maria
	Muria (Raj)
	Nagesia (Nagasia)
	Saonta (Saunta).

The grounds on which these omissions were made have not been indicated.

As the Government of India are anxious to ensure that no community which is reasonably entitled to the protection and privileges provided in the Constitution should be deprived of them without very substantial reason, It is requested that the reasons which prompted the State Government to decide on the omission of these communities from the lists may kindly be conveyed ~~him~~ to this Ministry, ~~It is particularly requested that~~, As the matter is one of urgency, a reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

suggest together with the factual data in support thereof.

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~~Joint~~ Secy.

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S. No. 89.

EXPRESS LETTER.

No.28/49-C. 13th March, 1950.

To

The Chief Secretary to the
Government of West Bengal,
C A L C U T T A.

P.88/C.

Reference your letter No.42-AR RIR-12/49 dated the 9th January, 1950, forwarding lists of Scheduled Castes and Scheduled Tribes for inclusion in the notifications to be issued by the President under articles 341 and 342 of the Constitution.

2. Attention is invited to item No.15 in your list of Scheduled Castes - DOSADH. It may kindly be confirmed if this community is the same as DUSADH, for the inclusion of which (in the list of Scheduled Castes) Shri Bhagwat Prasad, M.C.A., made a representation to the President of the Constituent Assembly , a copy of which was forwarded to you with this Ministry's letter of even number dated the 28th December, 1949. If DOSADH and DUSADH are one and the same, it may kindly be stated if you have any objection to the latter spelling being used, as has been done by the Govt. of Uttar Pradesh. If they are different, the reasons for which they did not include DUSADH in their list may kindly be furnished to this Ministry, supported by the necessary factual data.

(together with the factual data on which they acted)

/ P.84/C of file XA/17/Cons/49-Pt. I.

3. A copy of a representation made to the Constituent Assembly by a Major S.K. Das, I.M.S.(Retd. Hon. Presidency Magistrate, Calcutta, praying that the Sutradhar community be treated as a Scheduled Caste in West Bengal, is attached. It is requested that this representation may kindly be examined by the State Government, and their views thereon con-

Issue no. 534 dated 13/3/50.

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veyed to this Ministry. If the matter has already been examined, this Ministry may kindly be furnished with the reasons, ~~supported by~~ (together with the necessary factual data,) ~~which prompted the~~ for which the State Government dy not to include the name of this community in the list ~~for~~ forwarded with their letter referred to in ~~the~~ paragraph 1 above.

2. As the matter is one of exceptional urgency, a reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

BG

Dy. Secretary.

S.No. 90.

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EXPRESS LETTER.

No.28/49-C. 13th March,1950.

To

The Chief Secretary to the
Government of Punjab,
SIMLA.

In continuation of this Ministry's Express letter of even number dated the 11th March, 1950, on the subject of the notifications to be issued by the President under articles 341 and 342 of the Constitution, a copy of a representation made to the Constituent Assembly by the District Depressed Classes League, Kangra District, praying that "the following Harijan Communities namely BAHDI, SIPPI, GHAI, DARAIN, BATWAL, HALLI, weavers, HADI, DHOGHARI, SHAHNAI & SOEE residing in the Kangra (E.P.) District" be treated as Scheduled Castes for the purposes of the Constitution, is forwarded. It is seen from the list of Scheduled Castes furnished with your letter No.17053-PG-49/7 dated the 3rd January, 1950, that, of the communities (not in question) only BATWAL is mentioned therein. It is requested that this representation may kindly be examined by the State Government, and their views conveyed to this Ministry. If the matter has already been examined, this Ministry may kindly be furnished with the reasons, (together with the factual data) for which the State Government did not include the communities in question in the list furnished by them with their letter referred to above.

/ Pp.28-29/C of file CA/49/Cons/48.

2. As the matter is one of exceptional urgency, a reply to this letter may kindly be sent so as to reach this Ministry not later than the 20th March, 1950.

Issue No 533 dtd 13/3/50.

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DY. SECRETARY.

S.M 91.

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IMMEDIATE
BY AIR MAIL.

No.1842/50-7.
GOVERNMENT OF MADRAS
PUBLIC (MISCELLANEOUS) DEPARTMENT.
-:-

From
Sri S. Venkateswaran, I.C.S.,
Additional Secretary to the Government of Madras.

To
The Secretary to the Government of India,
Ministry of Law, New Delhi-3.

Dated, Fort St. George, the 18th March 1950.

MINISTRY OF LAW
22 MAR 1950
File
Diary No. 725/50-C

Sir,

Sub: Constitution - Articles 341 and 342 - Scheduled Castes and Scheduled Tribes - Madras State - Specification by the President.

Ref: Letter from the Government of India, Ministry of Law, No.F.28/49-C dated 11th March 1950.

M. 705/C

With reference to the letter cited, I am directed to state that the lists of Scheduled Castes and Tribes have been drawn up by this Government with reference to all the information and literature available on the subject (which they have examined a number of times) including the "Report on the Socio-Economic condition of the Aboriginal Tribes of the Province of Madras" by Dr. A. Aiyappan, Superintendent, Government Museum, Madras, who is an expert on the subject of Aboriginal Tribes. Copies of Dr. Aiyappan's report were forwarded by this Government to the Constituent Assembly and ~~the~~ Ministries of Law and Home Affairs in February 1949. This Government's comments on the specific cases mentioned in your letter are given below seriatim:

(1) ARANADAN - This community has been removed from the list of Scheduled Castes but included in the list of Scheduled Tribes (item 1). It was originally included in the Scheduled Castes Order, 1936, which was reproduced in the IX Schedule to the Draft Constitution. Dr. Aiyappan has reported that Aranadans are the most primitive of all the hill tribes north of the Palghat gap in the West Coast of this State. They are considered the lowest amongst even the untouchables. They could thus be treated either as a Scheduled Tribe or as a Scheduled Caste, but it was considered that it would be in their own interest, as explained in the next sub-paragraph, to include them in the list of Scheduled Tribes rather than in the other list, and they have accordingly been included in the list of Scheduled Tribes of this State. It is also correct that a primitive hill tribe should be classified as a Scheduled Tribe.

(2) BATTADA - This is a variation of the spelling 'Bhottadas' adopted in the list of "Backward Tribes" appended to the Government of India (Provincial Legislative Assemblies) Order, 1936. This community has been included in the list of Scheduled Tribes (item 3) and omitted from the list of Scheduled Castes for the following reason. This is one of the seven communities which were included in <u>both</u> the lists at the draft stage of the Constitution. This Government have already pointed out to the Constituent Assembly that the same caste should not find a place in the list of Scheduled Castes as well as in the list of Scheduled Tribes. Under the Constitution, Scheduled Castes and Scheduled Tribes represent two distinct categories of minorities, and no person can, for the purpose of the Constitution, be a member of the Scheduled Castes as well as a member of the Scheduled Tribes, e.g., a person cannot be free to stand as a candidate for a seat

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reserved in the Legislature for the Scheduled Castes or for a seat reserved for the Scheduled Tribes, at his option. There should be absolute definiteness and certainty about a matter like this. It was accordingly considered that, if the name of a community is found in both the lists in the redraft of the Constitution, it should be retained only in the list of Scheduled Tribes and omitted from the list of Scheduled Castes as this would be to the advantage of the castes concerned, in view of the fact that even more generous assistance by Governments will be called for and given to Scheduled Tribes than for Scheduled Castes. In this view, 'Bhottada' (or Battada) was removed from the list of Scheduled Castes and retained in the list of Scheduled Tribes.

(3) DOMBO, PANO AND PAIDI - Dombo is synonymous with "Dom (Dombara)" the spelling adopted in the list of Scheduled Castes forwarded by this Government with their letter -- No.1842/49-3, Public (Miscellaneous) dated 11th January 1950. As 'Paidi' (item 56 of List I), 'Pano' and 'Dombos' which were included in the list of Scheduled Castes are the same as 'Dom', it was considered that these three names need receive no separate mention in the list of Scheduled Castes, but 'Paidi' was included by oversight. The name 'Paidi' too need not be shown as a separate entity in the list of Scheduled Castes, and this Government would recommend that the entry relating to 'Dom' may be altered into "Dom (Dombara, Paidi and Pano)". The list may be suitably re-numbered. Please see in this connection pages 86 and 87 of Dr.Aiyappan's report. 'Dombo' is the name used in Oriya country and not in this State.

(4) HADDI - This is same as Ghasi which is included in the list of Scheduled Castes (item No.22) - vide page 86 of Dr. Aiyappan's Report and sub-paragraph (9) below.

(5) KATTUNAYAKAN - This is included in the list of Scheduled Tribes (item 16). Kattunayakans belong to a very vile and backward tribe. It is said that even grown up individuals among them do not know the four cardinal points or to cound beyond 20. They are in the habit of shifting their residences and own no land. They are considered by people who know them from close experience as a 'tribe without a future'.- vide page 101 of Dr.Aiyappan's Report. They were included in Category (2) of Part I of the Schedule to the Government of India Scheduled Castes Order, 1936, and are also in the list of aboriginal tribes eligible for help by the Labour Department of this Government. They should properly be in the list of Scheduled Tribes and have been included accordingly.

(6) KUDIYA - On an investigation undertaken by this Government to find out whether the conditions of certain communities in the State is such as to justify their being treated as Scheduled Tribes, it was found that the condition of Kudiyas is really worse than that of Scheduled Castes. They are still leading a primitive life, living in jungles, beneath rocks and caves or in low huts. They lead a very secluded life and are shy and hardly appear in public. No one in the community has so far had education upto even the elementary standard. The Collector of South Kanara which is the chief habitat district of this tribe considers that this is a fit case for treatment as a scheduled tribe and for giving more generous assistance for uplift than in the case of Scheduled Castes. It has accordingly been transferred from the list of Scheduled Castes to the list of Scheduled Tribes (and not from the list of Scheduled Tribes to the list of Scheduled Castes as stated in your letter). They are reported not to take food in the houses of communities other than Brahmins. They do not therefore appear to be ~~the old~~ one of the old

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p.t.o.

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untouchable caste, and should, in view of their primitive, jungle life, be classified as a Scheduled Tribe.

(7) KURUMAN - According to Dr. Aiyappan, Kuruman is a mispronounciation for Kurumbans of Malabar and the Nilgiris included in Category (2) of the Scheduled Castes Order. They live in small and detached huts in the interiors of jungles and are very backward. They are included in the list of Aboriginal Tribes eligible for help by the Labour Department of this Government. Hence the community has been included in the list of Scheduled Tribes and excluded from the list of Scheduled Castes.

(8) PANIYAN - This is a jungle tribe of Malabar. Paniyans were actually agrestic slaves bought and sold with the land to which they were attached as slave labourers. Although slavery in any form is now an offence and the Paniyans are theoretically freed persons, their freedom is severely limited by the hard economic conditions under which they live. Years of virtual slavery has made Paniyans, as a rule, a demoralised community. They are often duped in the bazaar. Calculating the cost of purchases and the counting and totalling of cash are difficult operations for them - vide pages 98-100 of Dr. Aiyappan's Report. In view of their backwardness and tribal characteristics, they have been included in the list of Scheduled Tribes and excluded from the list of Scheduled Castes.

(9) SACHANDI - Relli, Sachandi, Ghasi and Haddi are local names for the same community. Item No.70 of the Scheduled Castes list may be omitted and item No.22 Ghasi may be amplified as "Ghasi (Haddi, Relli and Sachandi)".

(10) BADAGAS - These were considered as aboriginal tribes in the Census of 1931. But the areas inhabited by them were not declared as excluded or partially excluded areas as they lived in scattered areas along with the ordinary population. The Collector of Nilgiris where they are most concentrated (over 55,000 population in 1941) reported in 1935 that, though Badagas were somewhat insular in their habits, they were in no way of a racial standard below that of the general population. They are not a hill tribe in the real sense, but settlers from the plains, mostly from the Mysore side. They are an enterprising agricultural community and doing increasingly well in potato cultivation and trade. This Government consider that there is no case for treating them as a Scheduled Tribe and have accordingly not included them in the list of Scheduled Tribes.

Yours faithfully,

S. Venkateswaran
18.3.50

(S. VENKATESWARAN) I.C.S.
Additional Secretary to the Government of Madras.

18/3/50

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No.1404-1316-II/50 (218

GOVERNMENT OF MADHYA PRADESH
General Administration Department.

S.No.92

From

Shri B.N.Kunte, I.A.S.
Additional Secretary to Government,
Madhya Pradesh.

To

The Secretary to the Government of India,
Ministry of Law,
New Delhi.

Dated NAGPUR, the 20th March 1950.

Subject:- Scheduled Castes and Schedule Tribes in the Madhya Pradesh.

MINISTRY OF LAW
21 MAR 1950
File No.....
Diary No. 789/50-C

Sir,

P.211/C

I am directed to refer to Shri Murdeshwar's letter No.F.28/49-C, dated the 11th March 1950 on the above subject and to say that in sending up revised lists of scheduled castes and scheduled tribes with this Government's letter No. 165-7613-II/49, dated the 11th January 1950, the State Government were guided by the consideration that only those castes and tribes which were really backward should be notified as scheduled castes and scheduled tribes and those castes and tribes which had, on account of contact with civilization, become somewhat advanced should not be included in the notifications.

2. In the light of the above considerations the State Government after full deliberation and detailed examination decided to omit from their final list the 9 scheduled castes mentioned in para 2 of the Ministry's letter under reply as in their opinion all of these communities fall in the latter category.

3. As regards the scheduled tribes, out of the six communities mentioned in the above letter, the State Government have excluded only four communities, viz. Pando, Koli, Nagarsia and Saonta (Saunta). The State Government are advised that the Tribes referred to as Maria and Muria (Raj) in the Ministry's letter and better known locally as 'Madia' and 'Mudia' are not separate communities but are different sub-

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sub-tribes within the Gond community and hence the State Government had shown these communities accordingly vide item 16 in the State Government's list of -- scheduled tribes. As different spellings are in vogue for these two communities, the State Government consider it advisable to mention the alternate spelling also while notifying the tribes. It is accordingly requested that item 16 of State Government's list of scheduled tribes may be substituted by the entry ' Gond including Madia (Maria) and Mudia (Muria)'. With regard to 'Pardhi' this Government have to point out that this community being more of a tribe than scheduled caste, has been included as such under scheduled tribes.

4. I am therefore to add that the revised lists forwarded with this Government letter No. 165-7613-II/49, dated 11th January, 1950 should kindly be taken to represent the considered views of the State Government and to request that those may be notified early.

Yours faithfully,

B. Jha

Additional Secretary to Government,
Madhya Pradesh,
General Administration Department.

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S.No. 93

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No. 131 A.C
2 R-1-172/49.

Government of Bihar,
Appointment Department.

Patna, the 19th March, 1950.

From

L. P. Singh, Esqr., I.C.S.,
Chief Secretary to Government.

To

The Secretary to the Government of
India, Ministry of Law, New Delhi.

Sir,

8.210/C

MINISTRY OF LAW
21 MAR 1950
File No.
Diary No. 788/50

With reference to your letter No. 28/49-C, dated the 11th March, 1950, I am directed to say that the total number of Ghatwars in this State at the census of 1941 was 72,568. Their religion was not tabulated at the census of 1941; but at the census of 1931, it was found that, except for 8 converts to Christianity, all the Ghatwars were Hindus. In para 8 of his report on settlement operations in the district of Santal Parganas, Sir Hugh McPherson has observed that the Ghatwars (or Ghatwals) are included in Bhuiyas; and Mr.Bradley Birt, also, in his book "Story of an Indian Upland" has mentioned that many of the Ghatwars are Bhuiyas. After very careful consideration, the Bhuiyas have been excluded from the provisional list of scheduled tribes and scheduled castes, and there appears to be no reason why Ghatwars, who were, in all probability, Bhuiyas at one time but have for long assumed, and have been accepted as having a higher social status, should be classed as a scheduled tribe. As already stated, there is no Ghatwar, who follows the tribal religion, and they are, for all purposes, part and parcel of the Hindu community.

2. The number of Khetauries at the census of 1941 was 20,708. Their religion also was not tabulated at the census of 1941; but at the census of 1931, it was found that with the exception of 14 Khetauries who followed

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the tribal religion, the entire community followed the Hindu religion. In para 15 of his report on settlement operations in the district of the Santal Parganas - 1898-1907 - Sir Hugh McPherson has stated that the Khetauries were Kshatriyas who were pushed East from the vicinity of Delhi by the first inroads of the Muslims. In the case of Keshovati Kumari Vs. Shyamnarain Singh and another (A.I.R. 1918 Patna p.462) it was established that the Khetauries were governed by the Hindu law. These circumstances clearly show that the Khetauries are Hindus; and there is, therefore, no justification for treating them as a scheduled tribe.

3. The State Government hope that in view of what has been said above, their recommendation would be accepted.

Yours faithfully,

Chief Secretary to Government.

S T B.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT.

No

Recd. at ____ H. ____ M.

From MINISTRY OF LAW

By

22 MAR 1950

Sent at ____ H. ____ M.

To ____

By ____

File No

Diary 799/50-L

S.Nos. 94

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= X SL CUTTACK 21 STE 59 LAW NE DELHI =

0-206/c

NO 364 REFORMS REFCE YOUR NUMBER F 28/49 C OF ELEVENTH INST (.) STATE GOVERNMENT FINALLY RECOMMEND THAT SAUNTI SHOULD BE EXCLUDED REPEAT EXCLUDED FROM LIST OF SCHEDULED CASTES AND GOND SHOULD BE INCLUDED REPEAT INCLUDED IN LIST OF SCHEDULED TRIBES (.) FACTUAL DATA FOR EXCUSION OF SAUNTI FOLLOWS

(.) = ORISSA =

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S. No. 95

(223)

Government of Orissa
Home Department.

No. 367 Reforms

Dated Cuttack, the 22nd March 1950.
23rd

MINISTRY OF LAW
27 MAR 1950
Query No. 837/50/C

From

S. N. Mahapatra., Esqr., I.A.S.,
Additional Secretary to Government.

To

The Deputy Secretary to the Government
of India, Ministry of Law, New Delhi.

Sub:- Lists of scheduled castes and scheduled tribes.

Sir,

I am directed to refer to the State Government's telegram No.364 Reforms., dated the 21st March 1950 communicating the State Government's final recommendation for exclusion of the community "Saunti" from the list of "Scheduled castes" and for inclusion of the community "Gond" in the list of "Scheduled tribes".

2. The "Sauntis" are found in large numbers in Mayurbhanj and Keonjhar districts, the Ganjam agency and in some other areas of this State. For some time past they have been agitating for being excluded from the list of Scheduled castes and treated as caste Hindus. Representations to this effect were received from the "Sauntis" of both Mayurbhanj and Keonjhar districts. Their contention is that socially they have blood relationship with the Khandayats of original Orissa and uptil now they have been following the religious and social rites of their parent community. They are touchables and get their religious rites performed by the Brahmins and not by their own caste men. Further they do not want to be treated as anything of lower status than the "chasas" or "Khandayats" i.e. the agricultural community in the State. For the above reasons the State Government recommended exclusion of the community of "Saunti" from the list of "scheduled castes".

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It may be stated that this community, however, is, not at a par culturally or economically with other advanced

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advanced communities of the State and therefore the State Government have included this community in the list of "other backward classes (vide State Government's notification No.76 Reforms., dated the 26th January 1950, copy enclosed) for purposes of making available to it such ameliorative measures as the State Government would deem proper to adopt in case of weaker sections of the people other than the "scheduled castes" and"scheduled tribes".

4. As regards the community 'Gond', the State Government, on further examination, are of the opinion that it should be included in the list of "scheduled tribes". As has already been reported by the State Government in their letter No.42 Reforms dated the 10th January 1950, among tribals there are persons who are holding position of big land-holders and are educationally, socially and economically far advanced. The State Government reiterate their views about the stage of advancement in which members of "scheduled tribes" should no longer be treated as tribal.

Yours faithfully,

Additional Secretary to Government.

Sen.22/3.

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GOVERNMENT OF ORISSA
HOME DEPARTMENT

The 26th January 1950

No. 76-Reforms—His Excellency the Governor of Orissa is pleased to declare the castes specified in schedule below to be backward classes other than Scheduled Castes and Scheduled Tribes notified under Articles 341 and 342 for purposes of the provisions for such classes in the Constitution of India :—

SCHEDULE

1. Aghria
2. Badhai
3. Baipari
4. Bania
5. Banka
6. Baraji or Barui
7. Barika
8. Butakusuda
9. Bentkars or Bentkar
10. Bhatua
11. Bhokta
12. Be era or Betra
13. Birjhia
14. Baruashankar
15. Bogada
16. Bolodhia
17. Bhunjia
18. Bhandari or Bhandaris
19. Badasuda
20. Bhujan
21. Bhania
22. Bindhanies
23. Bhuliya
24. Citra
25. Chik
26. Churia
27. Dehuri
28. Dhaner
29. Dahalias
30. Darji
31. Dumal
32. Dangua
33. Deons
34. Girigiria
35. Gingra
36. Gour or Goud or Goudo
37. Gudia or Guria
38. Gola or Golla
39. Gond → To be omitted.
40. Habra
41. Hansi
42. Jogi or Yogi
43. Jyotish
44. Jhodia
45. Kuda
46. Kalhara
47. Koda
48. Khanduals
49. Kuduma
50. Kudamatia
51. Kamar
52. Khondal
53. Khati
54. Kollar
55. Kapudia
56. Kulta
57. Khajirin
58. Khodra
59. Khatua
60. Kandarpa
61. Luhura
62. Lohar
63. Lakhra
64. Magadhas
65. Mahuntas
66. Minka
67. Maghi or maghia
68. Mali
69. Machhua
70. Mochi
71. Magura
72. Mangli
73. Mangli
74. Mahesya
75. Magadhi Goral
76. Nuhura
77. Nahar
78. Noda
79. Namasudra
80. Omeyta
81. Omanatiya
82. Penguas
83. Pita
84. Panjira
85. Pal
86. Paiko
87. Patra or Patara
88. Padaria or Pamaria
89. Pathuria
90. Rona
91. Radhi or Niari
92. Routia
93. Suda
94. Sithula
95. Sinkos
96. Sulia
97. Situlia
98. Sundi
99. Shabar
100. Sitria
101. Sutradhar or Badhira
102. Sagarpesha
103. Sankhari
104. Sauntis
105. Tana
106. Tanla Gaud
107. Tiyaro
108. Telli
109. Tanti
110. Tamili
111. Thuria
112. Thatari
113. Vina Tulavina
114. Yerna Gollas

A person belonging to a 'Scheduled Tribe' but not professing tribal religion shall not be treated as a member of the 'Scheduled Tribe' but treated as a member of "other backward classes" provided that he shall not be treated as a member of "other backward classes" if he has socially, educationally or economically attained a degree of advancement which in the opinion of the Provincial Government does not entitle him to any protection to which backward classes are eligible under the Constitution of India.

By order of the Governor
S. N. MAHAPATRA
Additional Secretary to Government

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ppendix, Bengal (page

ut not Dusadh. Ead

In addition to Dosadh

MINISTRY OF LAW
23 MAR 1950
File No. 811/50-C
Diary No.

Government of West Bengal
Home (C&E) Department

No. 481- AR- R1R.12/49.

Memorandum

S. No. 96.

From

Sri M.M.Basu, I.C.S.,

Joint Secretary to the Government of West Bengal,

To

The Deputy Secretary to the Government of India,

Ministry of Law, New Delhi.

Calcutta, the 22nd March, 1950.

D.213/13/C

Ref: Your letter No. F.28/49-C dated the 13th March, 1950 regarding the inclusion of the caste DOSADH in the list of Scheduled Castes to be notified under Article 341 of the Constitution.

It does not appear that Dosadhs and Dusadhs are two different castes. In reply to Sri Bhagwat Prasad's letter to the Hon'ble Chief Minister which was the same as the one written by him to the Hon'ble President of the Constituent Assembly of India, this Government wrote to him that the Dosadhs had already been included in the list of Scheduled Castes under the Government of India Act, 1935 and were also being proposed for inclusion in the list of Scheduled Castes to be notified under Article 341 of the Constitution. A copy of this Government's letter No. 29-AR dated 9.1.50 to Srijut Prasad is enclosed in this connection. This seems to have satisfied Srijut Prasad who has not written further in the matter, although this Government in their reply mentioned Dosadhs while Srijut Prasad spoke of Dusadhs. It appears that Srijut Prasad spoke of only one caste and does not distinguish between Dosadhs and Dusadhs.

2. It is true that in Parts III and VI of the Schedule to the Government of India (Scheduled Castes) Order, 1936 two entries, viz. Dosadh and Dusadh, have been shown under Bengal and Bihar respectively, but it seems that the difference is because of a spelling mistake.

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3. In the Census of India, 1941, Volume IV, Appendix, Bengal (page 3) only the caste Dosadh has been enumerated but not Dusadh. Had there been two different castes, viz. Dusadh in addition to Dosadh,

at least a few Dusadhs, however small their number, would have been enumerated in Bengal. The fact, however, is that the Census Report of 1941 does not mention any Dusadh in Bengal. From the Census Report of 1921 it also appears that only Dosadh has been enumerated.

4. Even if there be two castes, viz. Dosadh and Dusadh, there being no Dusadh in Bengal as shown by the last Census Report, this State is obviously not concerned with the inclusion of Dusadhs in the list of Scheduled Castes for West Bengal. Whether or not Dusadhs exist in Bihar and U.P. as a separate caste from the Dosadhs of West Bengal, this State will have to confine itself to Dosadhs which are, as the Census Report of 1941 shows, the only caste of that name in West Bengal fit to be enlisted as a Scheduled Caste.

5. It appears that in 1934 when the Government of Bengal had been considering the different castes of the Province for the purposes of their fitness for enschedulement under the Government of India Act, 1935, only the caste known as Dosadh was considered as a backward caste and the records do not show that any other backward caste called Dusadh was at all considered.

6. Assuming, therefore, that Dosadh and Dusadh are one and the same caste, this Government would adhere to the spelling Dosadh not only because the entry was Dosadh in the list of Scheduled Castes for Bengal under the Government of India (Scheduled Castes) Order, 1936 but also because the Census Reports for Bengal have shown the caste as Dosadh and not as Dusadh. Further, members of the community in West Bengal are also referred to, and their caste name pronounced, as Dosadh.

7. As for the inclusion of the Sutradhar community as a Scheduled Caste in the list for West Bengal this Government are opposed to the idea. Their name was not considered by this Government while sending up the proposals for the enlistment of Scheduled Castes for this State. The Government of Bengal in 1934 had originally included the Sutradhar caste in their list of Scheduled Castes submitted to the Secretary of State for India for adoption under the Government of India Act, 1935. At the time, however, when this proposal came to be known, memorials began to come in from various caste associations of the Sutradhars and

from leading individual members of the caste asking for the exclusion of their name from the list. These memorials gradually grew in volume till they covered practically the whole of Bengal and finally a representative deputation of the caste was received when the caste leaders placed their case for exclusion before Government. Their reaction to inclusion in the list of Scheduled Castes was so immediate, so representative and so well organised that there could be no question that the caste did not need any special protection or representation. In consequence, even if at that late stage, the Government of Bengal felt compelled to reopen the question after it had been declared to be closed and immediately informed the Secretary of State direct recommending the exclusion of the Sutradhars from the list of Scheduled Castes. This Government also, while sending up their proposals under the New Constitution, did not think it necessary to include the Sutradhars in the list, nor do they consider it necessary now to reopen the question merely because an isolated individual like Major S.K.Das has recommended the treatment of the Sutradhars as a Scheduled Caste in West Bengal.

Joint Secretary to the Govt. of West Bengal.

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Government of West Bengal
Home Department
Constitution and Elections

From :- Shri M. M. Basu, I. C. S.,
Jt. Secy. to the Govt. of West Bengal

To :- Shri Bhagwat Prasad, M. C. A.,
Member, Bihar Legislative Assembly,
PATNA.

No. 29-AR/R1R-41/49, dated Calcutta, the 9th January, 1950.
Subject:- Inclusion of the name of "Dosadh" Community in the List of Scheduled Castes for West Bengal.

Sir,

With reference to your letter dated the 14th December, 1949, addressed to the Hon'ble Premier, West Bengal, on the above subject, I am directed to state that the name of the "Dosadh" Community is already included in the existing list of Scheduled Castes of West Bengal. It is also contemplated that this will remain so even under the new Constitution.

Yours faithfully,

Sd: M. M. BASU

'NG' JOINT SECRETARY TO THE GOVERNMENT OF WEST BENGAL

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H.R. 23/3

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EXPRESS LETTER.

S. No. 97. No. 2181/III-15(10)/1949

From

Shri K.P.Bhargava, I.C.S.,
Secretary to Government,
Uttar Pradesh.

To

The Deputy Secretary to the Government of India,
Ministry of Law,
New Delhi.

GENERAL ADMINISTRATION DEPARTMENT. Dated Lucknow March 21, 1950

R209/C

Reference your express letter No. 28/49-C dated March 11, 1950, regarding a representation by "Jaiswars" for inclusion in the list of Scheduled Castes in Uttar Pradesh.

2. The question of finalising the list of Scheduled Castes in this State was carefully considered upon receipt of Shri Mukerjee's D.O.No. CA/17/Cons/1949 dated April 23, 1949 (copy enclosed) and a reply was sent accordingly as in this Government's D.O.No.3087/III-15(3)/1948 dated May 7, 1949 (copy enclosed) to Shri Mukerjee, Joint Secretary, Constituent Assembly of India. Subsequently this Government forwarded their proposals in the matter to the Government of India as in letter No. 9456/III-15(15)/1949 dated January 7, 1950, in reply to Government of India, Ministry of Law letter No. F.28/49-C dated December 19, 1949. This Government do not consider it advisable to make any further addition to the list of Scheduled Castes at this stage.

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3. "Jaiswars" are one of the various sub-castes of Chamars, vide page 172 of Crooke's book "The Castes and Tribes of the North Western Provinces and Oudh", Volume II. From pages 12-13 of Volume III of the same book, it would, however, appear that some Jaiswars are also sub-castes of Baniyas and Rajputs. It would, therefore, cause confusion if Jaiswars as such were to be classed as Scheduled Castes in Uttar Pradesh and in the opinion of this ---

of this Government this would be an additional reason for not including Jaiswars as such in the list of Scheduled Castes.

4. As regards paragraph 2 of your letter under reply, the representation was received only recently and as this Government had reached its decision ~~as~~ on all matters of this type before the inauguration of the Republic, no action was considered necessary.

5. With reference to paragraph 3 of your letter, I am to say that the State Government are not at present in possession of the necessary material from which factual data on the economic and social conditions of this community may be furnished. If, however, Government of India so desire, the requisite information will be collected from districts in which Jaiswars are found in considerable numbers, but this will necessarily take time.

B. P. Jaiswar

(K.P.BHARGAVA)
SECRETARY.

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(232)

17-

Copy of the D.O.No. CA/Cons/49 dated April 23, 1949 from the Joint Secretary to the Constituent Assembly of India, Council House, New Delhi, to the Chief Secretary to the Government of United Provinces, Lucknow.

...

I am desired to invite your attention to two amendments (copies enclosed) to the Draft Constitution of India of which notice has been given by the Drafting Committee proposing to insert in the Constitution a new Ninth Schedule containing a list of Scheduled Castes in the various Provinces and adding a new definition of "Scheduled Castes". As a consequential amendment the Drafting Committee has also proposed that sub clause (w) of clause (1) of articles 303 of the Draft Constitution should be omitted (vide amendment No. 3227).

You will observe that the list of Scheduled Castes contained in the proposed Ninth Schedule is almost an exact reproduction of the list contained in the Government of India (Scheduled Castes) Order, 1936. As this Secretariat has been receiving from time to time representations for the addition to or omission from the list of one particular caste or other, it is considered adviseable that each Provincial Government should examine the entries relating to them in the list and let this Secretariat know whether they desire to have any changes made therein.

As the next session of the Constituent Assembly is to commence on May 16, 1949, to consider the remaining parts of the Draft Constitution, it is requested that a reply to this letter may be sent as early as possible, and, in any case, not later than May 10, 1949.

...

By The Hon'ble Dr. B.R.Ambedkar,
Shri N.Madhava Rau,
Saiyid Mohd. Saadulla :-

3236

That after clause (1) of article 303, the following new clause be inserted:-

"(1a) For the purpose of this Constitution the castes, races, or tribes or parts of or groups within castes, races or tribes specified in Parts I to IX of the Ninth Schedule shall be deemed to be Scheduled Castes not only in the States to which those parts respectively relate, but throughout the territory of India.

Provided that :

(a) no Indian Christian shall be deemed to be a member of a Scheduled Caste;

(b) in West Bengal no person who professes Buddhism or a tribal religion shall be deemed to be a member of any Scheduled Caste".

...

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LIST OF SCHEDULED CASTES.
UNITED PROVINCES.

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Agariya
Aheriya
Badi
Badhik
Baheliya
Bajaniya
Bajgi
Balahar
Balmiki
Banmanus
Bansphor
Barwar
Basor
Bawariya
Beldar
Bengali
Beriya
Bhantu
Bhuiya
Bhuyar
Boria.

Chamar
Chero
Dabgar
Dhangar
Dhanuk(Bhangi
Dharkar
Dhobi
Dom
Domar
Gharami
Ghasiya
Gual
Habura
Hari
Hela
Jatava
Kalabaz
Kanjar
Kapariya
Karwal
Khairaha
Kharot.

Kharwar (excluding Benbansi).
Khatik
Kol
*Kori.
Korwa
Lalbegi
Majhwar
Nat
Pankha
Parahiya
Pasi
Patari
Rawat
Saharya
Sanaurhiya
Sansiya
Shilpkar
Tharu
Turaiha

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D.O.No. 3087/III-15(3)/48

U.P. Civil Secretariat.
Lucknow, May , '49.

Dear Sir,

I am desired to acknowledge receipt of your D.O. letter No. CA/17/Cons/49 dated 23rd April 1949 asking for the views of the Provincial Government on the question whether they desire any changes to be made in the proposed Ninth Schedule to be added to the Draft Constitution of India, and to say that the Provincial Government would like the following alterations to be made in it:-

(1) Entries Nos. 2, 45, 46 and 61 relating to the castes "Aheria, Khatik, Kol and Tharu" may be omitted.

(2) Two new entries may be made relating to castes "Dhakre and Dhusia (or Jhusia)".

(3) In entry No. 47 relating to the caste "Kori" the words "excluding Koris residing in Meerut, Agra and Rohilkhand Divisions" be added within brackets.

2.- These proposals have been made by the Provincial Government in accordance with the wishes of the members of these castes residing in this Province. It is hoped that the Drafting Committee will incorporate these changes in the Ninth Schedule before the amendment for introducing this schedule in the Draft Constitution is moved in the Constituent Assembly.

3.- In Mr. R.N. Philips letter No. 26/25/48-NGS dated 2nd April 1949 the Ministry of Home Affaris have suggested that if the Provincial Government desire any changes in the proposed Ninth Schedule to be added to the Draft Constitution, the Provincial Government should move appropriate amendments to Amendment No. 3749 through a member of the Constituent Assembly. In view

of your letter under reference it would, however, appear that this will not be necessary and the Drafting Committee will themselves incorporate the changes suggested by the Provincial Government before moving for the inclusion of this Schedule. In case, however, any of the suggestions made by the Provincial Government is not acceptable to the Drafting Committee the Provincial Government would desire that an appropriate amendment be subsequently moved in the Constituent Assembly when the Ninth Schedule is being considered. Consequently, notice of the appropriate amendments to Amendment No. 3749 in the name ofthe Hon'ble Premier is also enclosed, and in case it is found that it will be necessary for these amendments to be moved in the Constituent Assembly I am to request that the permission of the Hon'ble President of the Assembly be obtained for moving this amendment as required by Rule 38-O of the Rules of Procedure of the Constituent Assembly of India.

Yours truly,

K. P. Bhargava

(K. P. Bhargava, ICS.,)
JOINT SECRETARY, CHIEF SECRETARY'S BRANCH.

Shri S.N. Mukerji,
Joint Secretary,
Constituent Assembly of India,
NEW DELHI.

Encl:- 1.

(23b)

President, Constituent Assembly.

I request the favour of your kindly allowing the following amendments to Amendment No. 3749 to be moved by me in exercise of your discretion under Rule 38-O of the Rules of Procedure of the Constituent Assembly of India:-

Amendments to amendment No. 3749.

In Part IV of the Ninth Schedule to the Draft Constitution:-

(1) Entry No. 2 relating to the caste "Aheria" be deleted.

(2) Existing entries Nos. 3 to 24 be renumbered as Nos. 2 to 23.

(3) After the existing entry No. 24 and the renumbered entry No. 23 a new entry "24 Dhakre" be added.

(4) After the entry No. 28 a new entry "29 Dhusia (or Jhusia)" be added.

(5) Existing entries Nos. 29 to 44 be renumbered as 30 to 45.

(6) Existing entries Nos. 45 and 46 relating to the castes "Khatik and Kol" be deleted.

(7) Existing entries Nos. 47 to 60 be renumbered as 46 to 59.

(8) In the existing entry No. 47 or the renumbered entry No. 46 relating to the caste "Kori" the words "excluding Koris residing in Meerut, Agra and Rohilkhand Divisions" be added within brackets after the word "Kori".

(9) The existing entry No.61 relating to the caste "Tharu" be deleted.

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(10) The existing entry No. 62 relating to the caste "Turaiha" be renumbered as 60.

(G. B. Pant)
MEMBER, CONSTITUENT ASSEMBLY OF INDIA.

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No. 3538-PG-50/2147

S. No. 98.

From

M.R.Sachdev, Esquire, I.C.S.,
Chief Secretary to Government, Punjab.

To

The Deputy Secretary to the Government of India,
Ministry of Law, New Delhi.

Dated Simla-2, the 22nd March, 1950.

Subject:- Enumeration of Scheduled castes etc.,

8.20/C

Sir,

With reference to your letter No. F.28/49-C dated the 11th March, 1950 on the subject noted above, I am directed to say that "Sanhais and " Sanhals" are two different castes and that " Sanhais " may kindly be included also in the list of scheduled castes of Punjab State forwarded with this Government letter No. 17053-PG-49/7 dated the 3rd January, 1950.

Yours faithfully,

R. L. Malhotra

Under Secretary Political,
for Chief Secretary to Government, Punjab.

"MALHOTRA"

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3 Karol Bagh
New Delhi.

B.R.A.

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S. No. 3 S. No. 98 C.P.

Dy. No. 808/50-C

I am herewith sending you a representation I have received from the members of the Barmar Community in U.P. I request you to kindly look into it and oblige.

Yours ffly

Devidutt Pant
M.P.

22/3.

To The Hon'ble Dr. B.R. Ambedkar
Law Minister
Govt. of India.

Shree Devi Datta Pant ji, M.P.
Parliament House,
New Delhi

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Sir,

We, the members of the Barwar community have been given to understand that our community has been listed among the scheduled castes. It is just possible that at some places a communi-ty known by the name of Barwar may be scheduled caste community but the Barwars of the undermentioned places can in no way be listed thus, as they, like others, have had and still have all kinds of social relations with the so-called high caste people, are not debarred from entering the temples, have customs and traditions like those of the so-called high-caste communities. In face we from a sub-caste of the Kshattriya community as can be ascertained from the book of the sub-castes of the Kshattriya community prepared by Thakur Saheb Bahadur, Ex-Pattedar Bidasar and ex-member state counc: council, Bikaner state. A copy of the above book is with us which can be seen if it is considered necessary. We are also alternativel known as Bariyar Kshattriya.

An application for the removal of the Barwar community (at least of the undermentioned places) from among the scheduled caste was also submitted to the U.P. Government. On our move, the U.P. Government instituted a detailed inquiry to ascertain whether our submission was right. The result of that inquiry which is with the U.P. Government may, if necessary, be referred to in proof of our claim. This should by itself constitute a full proof of our claim. We had demanded a copy of the result of that inquiry, but the U.P. Government's reclamation officer expressed his inability to hand over any government paper to us but promised to send the same to the Central Government if they demanded it. 405

The U.P. Government, on their part, expressed their in-ability to do anything in the matter as they said that it was a matter which was beyond their jurisdiction and which, according to them, lay within the competence of the Government of India bec because it required an amendment in the Ninth schedule of the Draft Constitution for which we were required to approach some m member of the Parliament in order to move an amendment to that

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effect. A copy of the actual reply of the U.P. Government is being enclosed herewith.

We, therefore, request you to kindly look in to the matter and do the needful to remove the Barwars (of at least the undermentioned places) from among the scheduled castes. If necess--ary, you may kindly refer to the result of the inquiry conducted by the U.P. Government in this connection.

Hoping that you will kindly take an early action for which we shall be much obliged to you,

We are,

Your's faithfully,

The members of the Barwar community of the undermentioned places.

1. Sandila, Distt: Hardoi. U.P.
2. Bhagwant Nagar P.O. Mallawan, Distt Hardoi.
3. V. Deoha, P.O. Deoha, Distt: Kanpur.
4. V. Singhauli, P.O. Makanpur, Distt: Kanpur.
5. Bilhaur, Distt: Kanpur.
6. Bahraich(Proper)
7. Ajodhia, Distt Fyzabad.
8. V. Mirzapur, P.O. Jalalabad, Distt Faizabad.
9. Shahjahanpur (Proper)
10. Hardwar, Distt Saharanpur.

N.B. Any correspondence in this connection may kindly be addressed to

Shri Gokul Prasad Ji,

Retired Head-master,

Mohalla Barauni,

SANDILA. Distt: Hardoi.

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Copy of G.O. No: 2051/ XXVI-241-1948, dated October 14, 1949, from Shri B.N. Verma, B.A. Assistant Secretary to Government to the Reclamation Officer, U.P.

With reference to the correspondence ending with your letter No: 5227, dated August 12, 1949, I am directed to say that if Bariyar Thakurs desire removal of the name of their community from the Schedule castes list they may approach some member of the constituent Assembly to move an amendment in the Ninth Schedule of the Draft constitution to that effect.

I am to request you to inform the petitioners accor-dingly.

Sd/- Hira Lal Verma,
Reclamation Officer, U.p.

No 245/R.D.

Copy forwarded to Shri Gokul Prasad Ji, Retired Head-master, Mohalla Barauni, Sandila, District Hardoi, for necessary action.

Sd/- Hira Lal Verma,
Reclamation Officer, U.P.

MOST IMMEDIATE

S.No 100

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MINISTRY OF LAW

New Delhi, the 4th April 1950.

My dear Iengar,

I send herewith for your urgent consideration and comments two draft summaries for the Cabinet.

2. The first is to obtain the approval of the Cabinet for the issue of orders under articles 341 and 342 of the Constitution enumerating the scheduled castes and scheduled tribes, respectively, for each of the States in Part A and Part B of the First Schedule to the Constitution. The summary is more or less self-contained and I need hardly add anything by way of further explanation. Notes have been added at the end of each part of the two Schedules indicating the extent to which we propose to differ from the State Govts. in regard to their recommendations either for inclusion or exclusion of particular castes and tribes.

3. The second summary relates to a draft order under article 387 of the Constitution for determining the population of each State and the population of the scheduled castes and scheduled tribes within each State for purposes of the general elections. The draft order is based on a note given to me recently by Gopalaswamy. There is hardly anything controversial in it.

4. These three orders have to be finalised and issued by the President at a very early date in order to enable us to proceed with the finalisation of the Representation of the People Bill. I shall, therefore, be very grateful for your comments within a day or two if possible. I am sending a copy to Gopalaswamy for information.

Yours sincerely,

sd/-K.V.K.Sundaram
Secretary.

H.V.R.Iengar Esq., ICS.,
Secretary, Home Ministry.

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Copy for information to Mr.R.A.Gopalaswamy, I.C.S.

sd/-K.V.K.Sundaram

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MINISTRY OF LAW

Summary for the Cabinet.

Subject: Notifications relating to the Scheduled Castes and Scheduled Tribes.

Article 341(1) provides that the President may after consultation with the Governor or Rajpramukh of a State by public notification specify the castes, races, tribes or parts of or groups within castes, races or tribes which shall for the purposes of the Constitution be deemed to be Scheduled Castes in relation to that State; and article 342(1) makes like provision authorising the President to specify the Scheduled Tribes. It is necessary to issue these two notifications urgently in order to facilitate further action in regard to the Representation of the People Bill. Draft Orders, prepared after consultation with the State Governments, are attached (Annexures A and B).

2. The first draft Order provides that Christians, Muslims, Buddhists and persons professing any tribal religion shall not be deemed to be members of a Scheduled Caste. This is in conformity with the views of the majority of the State Governments, and it continues unaltered the position which obtained under the Government of India Act, 1935, and the Government of India (Scheduled Castes) Order, 1936. It is also consistent with the object and purpose of the provisions of the Constitution relating to Scheduled Castes. Converts to Christianity or Islam from among the Scheduled Castes cease to be subject to those disabilities which call for the special protection provided under the Constitution in regard to their economic and cultural advancement. In Parts VII and XIII of the Schedule, it is made clear that a member of any of the castes known as Ramdasi, Mazhabi, Kabirpanthi or Sikligar shall in relation to the States of Punjab and PEPSU be deemed to be a member of a Scheduled Caste, notwithstanding that he professes the Sikh religion.

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3. A similar question arises in relation to the Scheduled Tribes. The majority of the State Governments are of the view that persons belonging to a Scheduled Tribe should not be excluded therefrom by reason only of their having ceased to profess the tribal religion. This view is well founded. There is no tribal religion as such, the religious practices of the tribes being in fact influenced in varying degrees by Hinduism. Even conversion to Christianity has had little effect upon the religious and social customs of the converts, and does not necessarily lead to their absorption in the Indian Christian community. In most cases they continue to live in their tribal isolation, and the disabilities for advancement from which they suffer in consequence also continue. The view of the majority of the State Governments is thus in conformity also with the object and purpose of the relevant provisions of the Constitution and is given effect to in the draft Order. The proviso to paragraph 2 of the draft Order, however, provides that Christians of tribal origin in certain parts of Bihar will not be deemed to be members of a Scheduled Tribe in view of the factual data furnished by the Bihar Government to show that the Christian tribals in those parts have made marked advance educationally and economically and therefore do not require any protection.

4. The lists of Scheduled Castes and Scheduled Tribes for Part A States in the two draft Orders have been prepared on the basis of the lists prepared last year by the Constituent Assembly Secretariat in consultation with the Provincial Governments and other interests concerned. These lists were circulated again in December last to the Governments of Part A States, and their suggestions as to additions and omissions of names have

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been taken into account in drawing up the lists now attached to the two draft Orders. The Note below Part of the two Schedules explains the reasons for accepting or not accepting these suggestions of the State Governments. The list relating to Part B States are based on the suggestions received from the Government of their States.

5. The draft Orders and Schedules which have been approved by the Hon'ble Minister for Law are submitted for the approval of Cabinet.

K.V.K.SUNDARAM,
Secretary.

Cabinet Secretariat.

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ANNEXURE A.

DRAFT ORDER.

In exercise of the powers conferred by clause (1) of Article 341 of the Constitution of India the President, after consultation with the Governors and Rajpramukhs of the States concerned, is pleased to make the following Order, namely :-

1. This Order may be called the Constitution (Scheduled Castes) Order, 1950.

2. Subject to the provisions of this Order, the castes, races or tribes, or parts of or groups within castes or tribes, specified in Parts I to XVI of the Schedule to this Order, shall, in relation to the States to which those Parts respectively relate, be deemed to be Scheduled Castes so far as regards members thereof resident in the localities specified in relation to them in those Parts of that Schedule.

3. Notwithstanding anything contained in paragraph 2, no person who professes Christianity, Islam or a tribal religion shall be deemed to be a member of Scheduled Caste; and if any question arises as to whether any person does or does not profess any such religion, that question shall be determined according to the answers which he may make, in the prescribed manner, to such questions as may be prescribed.

Explanation.- In this paragraph, "prescribed" means prescribed by rules made by the Governor or as the case may be the Rajpramukh, of the State in relation to which the question arises.

4. Any reference in the Schedule to this Order to any District or other territorial division of a State shall be construed as a reference to that District or other territorial division as existing on the 26th January, 1950.

1. Bania or Brittial Bania.
2. Bansphor.
3. Dhupi or Dhobi.
4. Dugla, or Dholi.
5. Hira.
6. Jhalo and Malo.
7. Kaibartta, or Jaliya.
8. Lalbegi.
9. Mahara.
10. Mali, or Bhuimali.
11. Mehtar, or Bhangi.
12. Muchi.
13. Namasudra.
14. Patni.
15. Sutradhar.

Note.-

No change as compared with the list originally prepared in the Constituent Assembly Secretariat.

PART II - BIHAR.

1. Bauri.	13. Hari.
2. Bantar.	14. Kanjar.
3. Bhogta.	15. Kurariar.
*4. Bhumij	16. Lalbegi.
5. Chamar.	17. Mochi.
6. Chaupal.	18. Musahar.
✗7. Dabgar.	19. Nat.
8. Dhobi.	20. Pan.
9. Dom	21. Pasi.
10. Dusadh.	22. Rajwar.
11. Ghasi.	%23. Tanti
12. Halalkhor.	24. Turi.

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* In respect of Patna and Tirhut divisions, and the districts of Monghyr, Bhagalpur, Purnea and Palamau.

✗ In respect of Shahabad district only.

% In respect of Singhbhum district only.

Note.-

Name of Caste.	State Government's suggestions and reasons therefor.	Action.
"Bantar" (item 2 in the list).	"The Bantar Caste should be added to the list. The Bantars are similar to the Mushhars in habit and occupation, and are treated as untouchables".	Accepted.
"Dabgar" (item 7 in the list).	"The Dabgar should be notified as a Scheduled Caste for the Shahabad district, where they are akin to the Chamars in habits and occupation, and are treated as untouchables".	Accepted.
"Tanti" (item 23 in the list).	"The Tanti should be notified as a Scheduled Caste for the district of Singhbhum. The Tantis of Singhbhum generally claim to be Pans, and are, in fact, Pans, though now known by another name".	Accepted.

Part III - BOMBAY.

1. Agar.
2. Asodi.
3. Bakad.
4. Bhambi.
5. Bhangi.
6. Chakrawadya-Dasar.
7. Chalvadi.
8. Chambhar.
9. Chena-Dasaru.
10. Chuhar or Chuhra.
11. Dakaleru.
12. Dhed.
13. Dhegu-Megu.
14. Dhor.
15. Garode.
16. Halleer.
17. Halsar, or Haslar, or Hulsavar.
18. Holaya.
19. Khalpa.
20. Kolcha, or Kolgha.
*21. Kotegar.
22. Lingader.
23. Machigar.
24. Madig, or Mang.
25. Mahar.
26. Mahyavanshi.
27. Mangarudi.
28. Meghval, or Menghwar.
29. Mini Madig.
≠30. Mochi.
31. Mochigar. or Samagar
32. Mukri.
33. Nadia.
34. Rohit.
35. Shenva, or Shindhaya.
36. Shingdav, or Shingad.
37. Sochi.
38. Timali.
39. Turi
40. Vankar.
41. Vitholia.

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* In respect of North Kanara district only.
≠ Except in respect of Gujrat division.

Note.-

Name of Caste	State Government's suggestions and reasons therefor.	Action.
"Chambhar" (item 8 in the list).	These are the two additions to the list proposed; no reasons are given.	Accepted.
"Dhed" (item 12 in the list).		

PART IV - MADHYA PRADESH.

1. Audhelia.
2. Basor or Burud.
3. Bahna or Bahana.
4. Balahi or Balai.
5. Bedar.
6. Chadar.
7. Chamar.
8. Chouhan.
9. Dahait or Dahayat.
10. Dewar.
11. Dhanuk.
12. Dom.
13. Dohor.
14. Ganda.
15. Ghasi or Ghasia.
16. Holiya.
17. Jangam.
18. Kaikadi.
19. Katia.
20. Khangar.
21. Khatik.
22. Kori.
23. Kumhar.
24. Madgi.
25. Mahar or Mehra.
26. Mala.
27. Mang.
28. Mehtar or Bhangi.
29. Mochi.
30. Panka.
31. Pardhi.
32. Rujjhar.
33. Satnami.
34. Turi.

Note.-

Name of Caste	State Government's suggestions and reasons therefor.	action.
"Turi" (item No.34 in the list).	Addition to the list proposed; no reasons given.	Accepted.
"Chouhan" (item No.8) "Ganda" (item No.14) "Jangam" (item No.17) "Khatik" (item No.21) "Kumhar" (item No.23) "Mala" (item No.26) "Mochi" (item No.29) "Panka" (item No.30) "Pardhi" (item No.31)	The omission of these 9 castes from the list is suggested, the reasons being: "...the State Government were guided by the consideration that only those Castes and tribes which were really backward should be notified as scheduled castes and scheduled tribes, and those castes and tribes which had, on account of contact with civilization, become some-what advanced should not be included in the notifications. In the light of the above considerations the State Govt. after full deliberation and detailed examination decided to omit from their final list the 9 scheduled castes mentioned.....as in their opinion all of these communities fall in the latter category".	Omission of these communities not agreed to, as the reasons stated were not supported by factual data

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PART V - MADRAS.

1. Adi Andhra.
2. Adi Dravida.
3. Adi Karnataka.
4. Ajila.
5. Arunthathiyar.
6. Baira.
7. Bakuda.
8. Bandi.
9. Bariki.
10. Bavuri.
11. Bellara.
12. Byagari.
13. Chachati.
14. Chakkiliyan.
15. Chalavadi.
16. Chamar.
17. Chandala.
18. Cheruman.
19. Dandasi.
20. Devendrakulathan.
21. Dom or Dombara, Paidi, Pano,
22. Ghasi or Haddi, Relli, Sachandi.
23. Godagali.
24. Godari.
25. Godda.
26. Gosangi.
27. Hasla.
28. Holeya.
29. Jaggali.
30. Jambuvulu.
31. Kadan.
32. Kalladi.
33. Kanakkan.
34. Karimpalan.
35. Kodalo.
36. Koosa.
37. Koraga.
38. Kudubi.
39. Kudumban.
40. Kuravan.
41. Kurichchan.
42. Madari.
43. Madiga.
44. Maila.
45. Mala (including Agency Malas).
46. Mala Dasu.
47. Malasar.
48. Matangi.
49. Mavilan.
50. Moger.
51. Muchi.
52. Mundala.
53. Nalakeyava.
54. Nayadi.
55. Pagadai.
56. Painda.
57. Paky.
58. Pallan.
59. Pambada.
60. Pamidi.
61. Panan.
62. Panchama.
63. Panniandi.
64. Paraiyan.
65. Paravan.
66. Pulayan.
67. Puthirai Vannan.
68. Raneyar.

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69. Samagara.
70. Samban.
71. Sapari.
72. Semman.
73. Thoti.
74. Tiruvalluvar.
75. Valluvan.
76. Valmiki.
77. Vettuvan.

Note.-

Name of Caste.	State Government's suggestions and reasons therefor.	Action.
"Aranadan" "Battada" "Kattunayakan" "Kudiya" "Kuruman" "Paniyan"	The State Government have suggested the transfer of these six communities from the list of Scheduled Castes to Scheduled Tribes, their reasons being two-fold: 1). the degree of backwardness of these communities justifies their being treated as a Scheduled Tribe rather than a Scheduled Caste, and 2). that a community should figure only in the list of Scheduled Castes or in the list of Scheduled Tribes, but not in both.	Accepted.
"Dombo") "Pano")	These two, and another community known as "Paidi", are said to be the same as "Dom", which has been added to the list; they have, therefore, suggested that the item "Dom" be expanded into "Dom or Dombara, Paidi, Pano".	Accepted.
"Haddi") "Sachandi")	These communities are said to be the same as "Relli" and "Ghasi", which are found in their list; they have therefore suggested the combination of all these items into one, viz. "Ghasi or Haddi, Relli, Sachandi".	Accepted.
"Panan"	Another addition suggested; no reasons given.	Accepted.

PART VI - ORISSA.

1. Adi Andhra.
2. Ahir-Gouda.
3. Amant.
4. Amat.
5. Audhelia.
6. Badaik.
7. Bagala.
8. Bagheti.
9. Bajikar.
10. Bari.
11. Bariki.
12. Basor or Burud.
13. Bauri.
14. Bauti.
15. Bavuri.
16. Bedia or Bejia.
17. Beldar.
18. Bhanja Purana.
19. Bhata.
20. Bhumij.
21. Bindhani.
22. Chachati.
23. Chamar.
24. Chandala or Chandal.
25. Cherua.
26. Chhatrapal.
27. Chhelia.
28. Dandachhatramajhi.
29. Dandasi.
30. Desuabhumij.
31. Dewar.
32. Dhanwar.
33. Dharua.
34. Dhoba or Dhobi.
35. Dom or Dombo.
36. Dosadha
37. Ganda.
38. Ghani.
39. Ghantarghada.
40. Ghantra.
41. Ghasi or Ghasia.
42. Ghogia.
43. Ghusuria.
44. Godagali.
45. Godari.
46. Godra.
47. Gokha.
48. Gunju or Ganju.
49. Haddi or Hadi or Hari.
50. Hatakata.
51. Irika.
52. Jaggali.
53. Jhara.
54. Kachara.
55. Kalanga.
56. Kandra or Kandara.
57. Karua.
58. Katia.
59. Kela.
60. Keuta.
61. Khadala.
62. Khadara or Khadura.
63. Khadia.
64. Khaira.
65. Kodalo.
66. Kori.
67. Kosta.
68. Kumbhar.

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69. Kundura.
70. Kurmi.
71. Kurunga.
72. Laban.
73. Laheri.
74. Lodha.
75. Madari.
76. Madiga.
77. Mahuria.
78. Mala or Jhala.
79. Malarh.
80. Mang.
81. Mangan.
82. Matia.
83. Mehra or Mahar.
84. Mehtar or Bhangi.
85. Mewar.
86. Mochi or Muchi.
87. Mundapotta.
88. Nagarchi.
89. Paidi.
90. Painda.
91. Pamidi.
92. Pan or Pano.
93. Panchama.
94. Panika.
95. Panka.
96. Pantanti.
97. Pap.
98. Pasi.
99. Patial or Patikar.
100. Patratanti.
101. Patua.
102. Pradhan.
103. Purana.
104. Rajna.
105. Raul.
106. Relli.
107. Sabakhia.
108. Samasi.
109. Sanei.
110. Saor.
111. Sapari.
112. Satnami.
113. Saunti.
114. Sidhria.
115. Sindhuria.
116. Sitari.
117. Siyal.
118. Sukuli.
119. Sunar.
120. Tamadia.
121. Tamudia.
122. Tanla.
123. Telenga.
124. Tiar or Tior.
125. Turi.
126. Ujia.
127. Valamiki or Valmiki.

Note.- Name of Caste.	State Government's suggestions and reasons therefor.	Action.
"Saunti" (item No.113 in the list).	The omission of this community from the list is suggested on the grounds that representations to that effect were received from the "Sauntis" of Mayurbhanj and Keonjhar districts, and that the community is being treated as a "backward class" as it is not on a "par culturally or economically with other advanced communities."	The omission of this community from the list is not agreed to, as the reason given is not substantial.
"Kurmi" (item No.70)	Addition suggested; no reasons given.	Accepted.

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PART VII - PUNJAB.

1. Ad Dharmi.
2. Bangali.
3. Barar.
4. Batwal.
5. Bawaria.
6. Bazigar.
7. Balmiki or Chura.
8. Bhanjra.
9. Chamar.
10. Chanal.
11. Dagi.
12. Dhanak.
13. Dumna or Mahasha.
14. Gagra.
15. Gandhila.
*16. Kabirpanthi.
17. Khatik.
18. Kori or Koli.
19. Marija or Marecha.
*20. Mazhabi.
21. Megh.
22. Nat.
23. Od.
24. Pasi.
25. Perna.
26. Pherera.
*27. Ramdasi or Ravidasi.
28. Sanhai.
29. Sanhal.
30. Sansi.
31. Sapela.
32. Sarera.
*33. Sikligar.
34. Sirkiband.

- -

*A member of any of these four castes shall be deemed to be a member of a Scheduled Caste, notwithstanding that he professes the Sikh religion.

1. Agariya.
2. Badi.
3. Badhik.
4. Baheliya.
5. Baiga.
6. Baiswar.
7. Bajaniya.
8. Bajgi.
9. Balahar.
10. Balmiki.
11. Banmanus.
12. Bansphor.
13. Barwar.
14. Basor.
15. Bawariya.
16. Beldar.
17. Bengali.
18. Beriya.
19. Bhantu.
20. Bhoksa.
21. Bhuiya.
22. Bhuyiar.
23. Boria.
24. Chamar.
25. Chero.
26. Dabgar.
27. Dhangar.
28. Dhanuk.
29. Dharkar.
30. Dhobi.
31. Dhusia or Jhusia.
32. Dom.
33. Domar.
34. Dusadh.
35. Gharami.
36. Ghasiya.
37. Gond.
38. Gual.
39. Habura.
40. Hari.
41. Hela.
42. Jatava.
43. Kalabaz.
44. Kanjar.
45. Kapariya.
46. Karwal.
47. Khairaha.
48. Kharot.
49. Kharwar (excluding Benbansi).
50. Kol.
51. Korwa.
52. Lalbegi.
53. Majhwar.
54. Nat.
55. Pankha.
56. Parahiya.
57. Pasi.
58. Patari.
59. Rawat.
60. Saharya.
61. Sanaurhiya.
62. Sansiya.
63. Shilpkar.
64. Turaiha.

Note.-

The State Government have suggested the addition to the list of the following communities: (no reasons are given):

"Baiswar" - item No.6.
"Baiga" - item No.5.
"bhoksa" - item No.20.
"Dusadh" - item No.34.
"Gond" - item No.37.

The proposal is agreed to.

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PART IX - WEST BENGAL.

1. Bagdi
2. Bahelia.
3. Baiti.
4. Bauri.
5. Bediya.
6. Beldar.
7. Bhuimali.
8. Bhuiya.
9. Bhumij.
10. Bind.
11. Chamar.
12. Dhoba.
13. Doai.
14. Dom.
15. Dosadh.
16. Ghasi.
17. Gonrhi.
18. Hari.
19. Jalia Kaibartta.
20. Jhalo Malo or Malo.
21. Kadar.
22. Kandra.
23. Kaora.
24. Karenga.
25. Kastha.
26. Kaur.
27. Khaira.
29. Khatik.
29. Koch.
30. Konai.
31. Konwar.
32. Kora.
33. Kotal.
34. Lalbegi.
35. Lodha.
36. Lohar.
37. Mahar.
38. Mahli.
39. Mal.
40. Mallah.
41. Malpahariya.
42. Mehtor.
43. Muchi.
44. Musahar.
45. Nagesia.
46. Namasudra.
47. Nuniya.
48. Paliya.
49. Pan.
50. Pasi.
51. Patni.
52. Pod.
53. Rabha.
54. Rajbanshi.
55. Rajwar.
56. Sunri.
57. Tiyar.
58. Turi.

PART X - HYDERABAD.

1. Dher.

1. Dher.
2. Mahar.
3. Mala.

2. Madiga.

4. Chambar.
5. Dhor.
6. Madiga.
7. Mang.
8. Mehatar.
9. Mochi.

3. Minor classes.

10. Anamuk.
11. Atar.
12. Bagalu.
13. Bala Santhanam.
14. Bantu.
15. Bathini.
16. Begari.
17. Bindli.
18. Budbukk.
19. Chintala.
20. Dasari.
21. Dokkalwar.
22. Dommara.
23. Elamalwar.
24. Gangani.
25. Garodi.
26. Katipamula.
27. Malahannai.
28. Mala Jangam.
29. Mala Masti.
30. Mala Sanyasi.
31. Mathura.
32. Manne:
33. Masti.
34. Mehatar.
35. Mondiwar.
36. Naikapu.
37. Pachabhotla.
38. Padampari.
39. Pamula.
40. Sangari.
41. Sare.
42. Sindhi.
43. Sore.
44. Sunna.

PART XI - MADHYA BHARAT.

1. Koli.
2. Khatik.
3. Chamar.
4. Chidar.
5. Dhanuk.
6. Barahar or Basod.
7. Balai.
8. Bagri or Bagdi.
9. Bhangi or Mehtar.
10. Banjara.
11. Bargunda.
12. Bedia.
13. Bhambi.
14. Kanjar.
15. Mahar.
16. Mochi.
17. Moghia.
18. Nat.
19. Pardhi.
20. Pasi.
21. Sansi.
22. Mirdhas.
23. Khangars.

PART XII - MYSORE.

1. Adikarnataka.
2. Adidravida.
3. Banjara or Lambani.
4. Bhovi.
5. Koracha.
6. Korama.

PART XIII - PATIALA & EAST PUNJAB STATES UNION.

1. Ad Dharmi.
2. Bangali or Bangala.
3. Barar.
4. Bawaria.
5. Bazigar.
6. Berua.
7. Bhanjra.
8. Chamar.
9. Chanal.
10. Chuhra or Balmiki.
11. Dagi or Koli.
12. Dumna or Doom.
13. Dhanak.
14. Gagra.
15. Gandhila.
16. Heri.
*17. Kabir Panthi.
18. Khatik.
19. Kori.
20. Labana.
21. Lal Begi.
22. Marija or Marecha.
23. Meghs.
*24. Mazhabi.
25. Nat.
26. Ode.
27. Perna.
28. Pasi.
*29. Ramdasi.
30. Sansi.
31. Sapela.
32. Sarera.
*33. Sikligar.
34. Sirkiband.

* A member of any of these four castes shall be deemed to be a member of a Scheduled Caste, notwithstanding that he professes the Sikh religion.

1. Adi Dharmi.
2. Aheri.
3. Bhangi.
4. Ballai.
5. Badi.
6. Bagri.
7. Bargi.
8. Bhand.
9. Badra.
10. Bawaria.
11. Bhambhi.
12. Bajgar.
13. Bansphore.
14. Berwa.
15. Bidakia.
16. Chamar.
17. Chura.
18. Dakot.
19. Disantri (Acharaj)
20. Dhobi.
21. Dhankia.
22. Dome.
23. Dheda.
24. Dabgar.
25. Dholi.
26. Ganwaria.
27. Gandia.
28. Gondi.
29. Gancha.
30. Garancha Mehtar.
31. Garoda.
32. Julaha.
33. Jatia.
34. Jogi
35. Koli.
36. Khatik.
37. Kapadia Sansi.
38. Kooch Bandia.
39. Kanjar.
40. Kalbelia.
41. Khatka.
42. Khangar.
43. Koria.
44. Mehtar.
45. Majhabi.
46. Meghwal.
47. Mehar.
48. Madari (Bazigar)
49. Mirasi.
50. Mochi.
51. Naika.
52. Nut.
53. Pasi.
54. Raigar.
55. Ramdasia.
56. Rawal.
57. Sansi.
58. Sapela.
59. Sanpia.
60. Sargara.
61. Singiwala.
62. Sarbhangi.
63. Thori.
64. Tirgar.
65. Valmiki.

PART XV - SAURASHTRA.

1. Bawa (Dhedh)
2. Bhangi.
3. Chamadia.
4. Chamar.
5. Dangashia.
6. Garoda.
7. Garmatang.
8. Hadi.
9. Meghwar.
10. Senva.
11. Shemalia.
12. Thori.
13. Turi
14. Turi-Barot.
15. Vankar.

PART XVI - TRAVANCORE-COCHIN.

1. Arassar.
2. Ayyanavar.
3. Bharatar.
4. Chakkamar.
5. Chakkiliyan.
6. Cootan.
7. Domban.
8. Iruvalan.
9. Kakkalan.
10. Kanakkan.
11. Kavara.
12. Kurava.
13. Mannan.
14. Nayadi.
15. Ottar.
16. Padannan.
17. Pana.
18. Pallen.
19. Pandyan.
20. Paravan.
21. Paraya (Sambava)
22. Pathiyan.
23. Perumannan.
24. Pulayan.
25. Pulluva.
26. Thacher.
27. Thandan.
28. Ulladan.
29. Uraly.
30. Vathiriyan.
31. Vannan.
32. Valluvan.
33. Vedan.
34. Velladan.
35. Velan.
36. Vettuvan.
37. Vallon.

ANNEXURE B.

DRAFT ORDER.

In exercise of the powers conferred by clause (1) of Article 342 of the Constitution of India the President, after consultation with the Governors and Rajpramukhs of the States concerned, is pleased to make the following Order, namely:-

1. This Order may be called the Constitution (Scheduled Tribes) Order, 1950.

2. The tribes or tribal communities, or parts of or groups within tribes or tribal communities, specified in Parts I to XIV of the Schedule to this Order shall, in relation to the States to which those Parts respectively relate, be deemed to be scheduled tribes so far as regards members thereof resident in the localities specified in relation to them respectively in those Parts of that Schedule:

Provided that no person residing in the Ranchi District, or in the Dumka or Pakur or Rajmahal sub-division of the Santhal Parganas District, of Bihar shall be deemed to be a member of a scheduled tribe if he professes the Christian religion.

3. Any reference in paragraph 2 of, or the Schedule to, this Order to a District or other territorial division of a State shall be construed as a reference to that District or other territorial division as existing on the 26th January, 1950.

PART I - ASSAM.

1. Scheduled Tribes in the Autonomous Districts :-

    1. Dimasa (Kachari)
    2. Garo
    3. Hajong
    4. Jaintia
    5. Khasi
    6. Any Kuki tribes
    7. Lakher
    8. Any Lushai (Mizo) tribes
    9. Mikir
    10. Any Naga tribes
    11. Synteng.

2. Scheduled Tribes in the Tribal Areas other than the Autonomous Districts :-

    1. Abor
    2. Aka
    3. Apa Tanang
    4. Dafla
    5. Galong
    6. Khampti
    7. Mishmi
    8. Any Naga tribes
    9. Singpho
    10. Momba
    11. Sherdukpen.

3. Scheduled Tribes in the State of Assam excluding the Tribal Areas:-

    1. Boro - Borokachari
    2. Deori
    3. Hojai
    4. Kachari
    5. Lalung
    6. Mech
    7. Miri
    8. Rava

P.T.O.

Note. -

The Government of Assam have suggested the addition of

MOMBA and
SHERDUKPEN

in the list relating to the Autonomous districts - vide items Nos. 10 and 11.

This proposal is accepted.

PART II - BIHAR.

(1) Throughout the State :-

1. Asur
2. Baiga
3. Banjara
4. Bathudi
5. Bedia
6. Binjhia
7. Birhor
8. Birjia
9. Chero
10. Chik Baraik
11. Ghatwar
12. Gond
13. Gorait
14. Ho
15. Karmali
16. Kharia
17. Kharwar
18. Khetauri
19. Khond
20. Kisan
21. Kora
22. Korwa
23. Lohara
24. Mahli
25. Mal Pahariya
26. Munda
27. Oraon
28. Parhaiya
29. Santal
30. Sauria Paharia
31. Savar.

---

(2) Scheduled tribes in the districts of Ranchi, Singhbhum, Hazaribagh, Santal Parganas and Manbhum only :-

Bhumij.

Note.-

Name of Tribe.	State Government's suggestions and reasons therefor.	Action.
"Bedia" (item No.5). "Lohara" (item No.23)	"The tribes, Bedia and Lohara, are fairly numerous aboriginal tribes, who still maintain their distinct tribal identity. They may, accordingly, be included in the list of Scheduled Tribes".	Proposal accepted.
"Bhumij" (last item).	"(The Bhumij should be notified as a Scheduled Caste only for the Patna and Tirhut Divisions, and the districts of Monghyr, Bhagalpur, Purnea and Palamau). For the rest of the province they are to be notified as a Scheduled Tribe".	Proposal accepted.
"Ghatwar" (item No.11) "Khetauri"(item No.18)	The Omission of these two communities from the list is suggested for the following reasons: "...the total number of Ghatwars in this State at the census of 1941 was 72,568. Their religion was not tabulated at the census of 1941; but at the census of 1931 it was found that, except for 8 converts to Christianity,	461

Action.

all the Ghatwars were Hindus. In para 8 of his report on settlement operations in the district of Santal Parganas, Sir Hugh McPherson has observed that the Ghatwars(or Ghatwals) are included in Bhuiyas; and Mr. Bradley Birt, also, in his book "Story of an Indian Upland" has mentioned that many of the Ghatwars are Bhuyias. After very careful consideration, the Bhuiyas have been excluded from the provisional list of scheduled tribes and scheduled castes, and there appears to be no reason why Ghatwars, who were, in all probability, Bhuiyas at one time but have for long assumed, and have been accepted as having a higher social status, should be classed as a scheduled tribe. As already stated, there is no Ghatwar, who follows the tribal religion, and they are, for all purposes, part and parcel of the Hindu community.

The proposal for the omission from the list of these two communities is not agreed to, as the reasons given are not substantial. The fact that a tribe claims to profess Hinduism is of little significance; Bhils, for instance, claim to be Hindus.

The number of Khetauries at the census of 1941 was 20,708. Their religion also was not tabulated at the census of 1941; but at the census of 1931, it was found that with the exception of 14 Khetauries who followed the tribal religion, the entire community followed the Hindu religion. In para 15 of his report on settlement operations in the district of Santal Parganas - 1898-1907 - Sir Hugh McPherson has stated that the Khetauries were Kshatriyas who were pushed East from the vicinity of Delhi by the first inroads of the Muslims. In the case of Keshavati Kumari vs. Shyamnarain Singh and another (A.I.R. 1918 Patna p.462) it was established that the Khetauries were governed by the Hindu law. These circumstances clearly show that the Khetauries are Hindus; and there is, therefore, no justification for treating them as a scheduled tribe".

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PART III - BOMBAY.

Throughout the State :-

1. Barda
2. Bavacha
3. Bhagalia
4. Bhil
5. Bhil Garasia
6. Chodhara
7. Dhanka
8. Dhodia
9. Dholi Bhil
10. Dubla
11. Dungri Bhil
12. Dungri Garasia
13. Gamir or Gamta
14. Gond
15. Kathodi or Katkari
16. Konkna
17. Koli Dhor
18. Koli Mahadev
19. Mavchi
20. Mewasi Bhil
21. Naikda or Nayak
22. Pardhi, including Advichincher or Phanse Pardhi.
23. Patelia
24. Pomla
25. Powara
26. Rathava
27. Raval Bhil
28. Tadvi Bhill
29. Thakur
30. Valvai
31. Verli
32. Vasava.

The Government of Bombay have suggested the addition of the following 7 communities in the list, without giving any reasons:

1. Bhagalia. - item No. 3 in the list
2. Bhil Gharasia - No. 5
3. Dhoei Bhil - No. 9
4. Dungri Bhil - No. 11
5. Dungri Garasia - No. 12
6. Mewasi Bhil - No. 20
7. Raval Bhil - No. 27.

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This pronosal is accepted.

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PART IV - MADHYA PRADESH.

Throughout the State:-

1. Agaria.
2. Andh.
3. Baiga.
4. Bhaina.
5. Bharia-Bhumia or Bhuinhar-Bhumia.
6. Bhattra.
7. Bhil.
8. Bhunjia.
9. Binjhwar.
10. Birhul, or Birhor.
11. Chik.
12. Dhanwar.
13. Dhoba.
14. Dorla.
15. Gadaba or Gadba.
16. Gond (including Madia(Maria) and Mudia (Muria).
17. Halba.
18. Kamar.
19. Kawar or Kanwar.
20. Kharia.
21. Khond or Kandh.
22. Kol.
23. Kolam.
24. Koli.
25. Korku.
26. Korwa.
27. Manjhwar.
28. Munda.
29. Nagesia (Nagasia)
30. Nihar.
31. Oraon.
32. Pando.
33. Pardhan.
34. Pardhi.
35. Parja.
36. Saonta (Saunta).
37. Sawar.
38. Waddar.

Note.-

Name of tribe.	State Government's suggestions and reasons therefor.	Action.
"Pardhi" (item No.34 in the list).	Addition suggested, as "this community being more of a tribe than scheduled caste, has been included as such under scheduled tribes".	Accepted.
"Chik" (item No.11) "Dhoba"(item No.13) "Gadaba or Gadba" (item No. 15.) "Munda"(item No.28) "Waddar"(item No.38) "Halba" (item No.17)	The addition of these tribes in the list is also suggested. While no specific reasons are given, the State Govt., in sending up their first lists (which they have revised twice), said that they were based on "the recommendations of the Provincial Rural Development Board and on the consideration that certain tribes which were formerly deleted have been shown as Scheduled Tribes in the territories adjoining Jashpur and other merged States and their deletion by the Provincial Government would result in invidious distinction being made with reference to one community between one State of the Union and another".	467 Proposed additions accepted.

"Pando" "Koli" "Nagesia(Nagasia) "Saonta (Saunta). (item Nos.32,24,29 and 36 in the list).	The omission of these four communities from the list is suggested, but no specific reasons are given except the general statement made that, in sending up their final lists, "the State Government were guided by the consideration that only those castes and tribes which were really backward should be notified as scheduled castes and scheduled tribes and those castes and tribes which had, on account of contact with civilization, become somewhat advanced should not be included in the notifications".	271 Action. The omission of these tribes from the list is not agreed to, as the reasons given are vague and unsupported by factual data.
"Maria" "Muria (Raj)".	The State Government consider that these communities are the sare as "Madia" and "Mudia" occurring in item 16, and have therefore suggested that the item should read "Gond (including Madia (Maria) and Mudia (Muria)).	Proposal agreed to.

PART V - MADRAS

Throughout the State :-

1. Aranadan
2. Badaga
3. Bhottadas -- Bodo Bhottada, Muria Bhottada and Sano Bhottada.
4. Bhumias -- Bhuri Bhumia and Bodo Bhumia.
5. Chenchu
6. Gadabas - Boda Gadaba, Cerllam Gadaba, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Gadaba and Pranga Gadaba.
7. Gondi - Modya Gond and Rajo Gond.
8. Goudus - Bato, Bhirithya Dudhokouria, Hato, Jatako and Joria.
9. Kosalya Goudus - Bosothoriya Goudus, Chitti Goudus, Dangayath Goudus, Doddu Kamariya, Dudu Kamaro, Ladiya Goudus and Pullosoriya Goudus.
10. Magatha Goudus - Bernia Goudu, Boodo Magatha, Dongayath Goudu, Ladya Goudu, Ponna Magatha and Sana Magatha.
11. Holva
12. Irula
13. Jadapus
14. Jatapus
15. Kammaras
16. Kattunayakan
17. Khattis-Khatti, Kommarao and Lohara.
18. Kodu
19. Kommar
20. Konda Dhoras
21. Konda Kapus
22. Kondareddis
23. Kondhs - Desaya Kondhs, Dongria Kondhs, Kuttiya Kondhs, Tikiria Kondhs and Yenity Kondhs.
24. Kota
25. Kotia - Bartika, Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya, Sanrona and Sidho Paiko.
26. Koya or Goud with its sub-sects. - Raja or Rasha Koyas, Lingadhari Koyas

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27. Kudiya

28. Kurumans

29. Lambadies

30. Manna Dhora

31. Maune

32. Mukha Dhora - Nooka Dhora

33. Muria

34. Paigarapu

35. Palasi

36. Paniyan

37. Porjas - Bodo, Bonda, Daruva, Didua, Jodia, Mundili, Pengu, Pydi and Saliya.

38. Reddi Dhoras

39. Savaras - Kapu Savaras, Khutto Savaras and Maliya Savaras.

40. Sholaga

41. Sugalis

42. Toda

43. Yenadi

44. Yerukula

45. Inhabitants of the Laccadive, Minicoy and Amindivi islands, excluding those declared to be outsiders by such authority and in accordance with such instructions as may be issued by the Government of Madras.

Note. -

Name of Tribe.	State Government's suggestions and reasons therefor.	...ction.
"Badaga" (item 2 in the list).	The omission of this tribe from the list is proposed by the State Govt. for the following reason: "These were considered as aboriginal tribes in the census of 1931. But the areas inhabited by them were not declared as excluded or partially excluded areas as they lived in scattered areas along with the ordinary population. The Collector of Nilgiris where they are most concentrated (over 55,000 population in 1941) reported in 1935 that, though Badagas were somewhat insular in their habits, they were in no way of a racial standard below that of the general population. They are not a hill tribe in the real sense, but settlers from the plains, mostly from the Mysore side. They are an	

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	enterprising agricultural community and doing increasingly well in potato cultivation and trade. This Government consider that there is no case for treating them as a Scheduled Tribe and have accordingly not included them in the list of Scheduled Tribes".	274 Action. The proposed omission is not agreed to, as no factual data was furnished in support of the proposal.
"Kudiya". (item No.27 in the list).	This community has been transferred from the list of Scheduled Castes to the list of Scheduled Tribes, as the State Government consider that it "is in a much worse economic condition than Harijans and is leading a primitive life".	Accepted.

PART VI - ORISSA.

Throughout the State :-

1. Bagata.
2. Baiga
3. Banjara
4. Banjari
5. Bathudi
6. Bhuiya
7. Bhuyan
8. Binjhal
9. Binjhia or Binjhoa
10. Birhor
11. Bondo Poraja
12. Chenchu
13. Dal
14. Gadaba
15. Ghara
16. Gond
17. Gorait or Korait
18. Ho
19. Jatapu
20. Juang
21. Kawar
22. Kharia or Kharian
23. Kharwar
24. Khond (Kond) or Kandha or Nanguli Kandha or Sitha Kandha
25. Kisan
26. Kolha
27. Kolha-Kol-Loharas
28. Koli
29. Kondadora
30. Kora
31. Korua
32. Koya
33. Kulis
34. Mahali
35. Mankidi
36. Mankirdia
37. Mirdhas
38. Munda (Munda-Lohara & Munda-Mahalis).
39. Mundari
40. Oraon
41. Paroja
42. Santal
43. Saora or Savar or Saura or Sahara
44. Tharua.

Note.

The Government of Orissa did not originally include "Gond" - item No.16 - in their list, but have, on further examination, recommended its inclusion. This is agreed to.

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PART VII - PUNJAB

Scheduled Tribe in Spiti and Lahaul in the Kangra District:-

Tibetan.

PART VIII - WEST BENGAL.

Throughout the State :-

1. Bhutia
2. Lepcha
3. Mech
4. Mru
5. Munda
6. Oraon
7. Santal.

PART IX - HYDERABAD.

Throughout the State :-

1. Andh
2. Bhil
3. Chenchu or Chenchwar
4. Erakala (including Korvi and Korwa)
5. Gawari
6. Gond (including Naikpod and Rajgond)
7. Hill Reddis
8. Kolam (including Mannervarlu)
9. Koli (including Rajkoli)
10. Koya (including Bhine Koya and Rajkoya)
11. Lambara or Banjara (including Mathula)
12. Pardhi
13. Pardhan
14. Baig
15. Dyandra
16. Yanadi.

PART X - MADHYA BHARAT.

Throughout the State :-

1. Bhil (including all tribes within the Bhil group)
2. Bhilala
3. Gond
4. Seharia
5. Korku.

PART XI - MYSORE.

1. Kadu-Kuruba
2. Jenu Kuruba
3. Iruliga
4. Hasalaru
5. Maleru
6. Soligaru

PART XII - RAJASTHAN.

1. Bhil
2. Mina
3. Girasia
4. Rawat
5. Merat

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PART XIII - SAURASHTRA.

1. Miyana
2. Sindhi
3. Daffer
4. Adodia
5. Wedva Waghri
6. Ghantia.

PART XIV - TRAVANCORE - COCHIN.

1. Kanikaran
2. Palliyar
3. Malayarayar
4. Malai Arayan
5. Malayan
6. Vishavan
7. Uraly
8. Pallcyan
9. Mannan
10. Malai Pandaram
11. Ulladan (Hill dwellers)
12. Kochu Velan
13. Muthuvan
14. Hill Pulaya
15. Nayadi
16. Vedan
17. Valluvan
18. Kadar.

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DRAFT Order

In exercise of the powers conferred by article 387 of the Constitution of India and of all other powers enabling him in that behalf, the President is pleased to make the following Order, namely:-

1. (1) This Order may be called the Constitution (Determination of Population) Order, 1950.

(2) It shall come into force at once.

2. (1) The General Clauses Act, 1897 (X of 1897) applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

(2) In this Order, "Census Commissioner" means the Census Commissioner appointed under sub-section (1) of section 4 of the Census Act, 1948 (XXXVII of 1948).

3. For the purposes of elections held under the provisions of the Constitution during a period of three years from its commencement, -

(a) the population of each State,

(b) the population of Scheduled Castes in each Part A State, and in each Part B State other than Jammu and Kashmir,

(c) the population of Scheduled Tribes in each Part A State other than Assam and in each Part B State other than Jammu and Kashmir,

(d) the population of Scheduled Tribes in each of the autonomous districts of Assam and in the whole of Assam excluding all the tribal areas thereof,

shall be determined in the manner hereinafter provided.

4. As soon as may be after the commencement of this Order, the Census Commissioner shall prepare estimates of population of every State as on the first day of March, 1950, in the following ways, that is to say, -

(a) after taking into account the population of the territory of that State as ascertained at the census of 1941, and such records as are available to him regarding births and deaths in that territory since that census, and also the movement of persons displaced from

...their

their
original places of residence by reason of the setting up of the Dominions of India and Pakistan, and

(b) on the basis of the mathematical projection of the trend indicated by the population figures of that territory as ascertained at the last five decennial censuses, after taking into account the movement of persons referred to in clause (a),

and shall then determine the population of the State by taking the average of the two estimates.

5. After determining the population of the States under paragraph 4 of this Order, the Census Commissioner shall prepare the estimates of population of Scheduled Castes and Scheduled Tribes in each State or Part of State as required by clauses (b), (c) and (d) of paragraph 3 of this Order on the basis that the population of Scheduled Castes or Scheduled Tribes in the territory of the State or part of the State, as the case may be, bears to the total population of the State as determined under paragraph 4 of this Order the same proportion which the population as ascertained at the census of 1941 of those castes or tribes, as the case may be, in that territory bore to the total population as so ascertained of the territory of that State.

6. (1) After the estimates of population of the States and of the Scheduled Castes and Scheduled Tribes therein have been prepared in accordance with the foregoing provisions of this Order, the Census Commissioner shall submit to the President a statement showing those estimates together with explanatory notes as to how they have been arrived at, and the President may thereupon either confirm the statement or return it to the Census Commissioner for revision and resubmission to him for confirmation.

(2) When a statement containing the estimates of population prepared by the Census Commissioner has been confirmed by the President under this paragraph, the Census Commissioner shall publish it by notification in the Gazette of India, and thereupon -

(a) such notification shall be conclusive evidence that the estimates of population contained in such statement have been prepared in accordance with the provisions of this Order, and

.....(b)

(b) the population of any State or of the Scheduled Castes or Scheduled Tribes in any State or part thereof shall, for the purposes of elections referred to in paragraph 3 of this Order, be as set out in such statement.

7. (1) For the delimitation of constituencies for the purposes of any such election as is referred to in paragraph 3 of this Order, the population of any area in a State shall be such fraction of the total population of that State as determined under paragraph 4 of this Order as may be determined in the manner provided in sub-paragraph (2) of this paragraph.

(2) The fraction referred to in sub-paragraph (1) shall, unless in the case of any particular area or class of areas the President by order otherwise directs, be determined by dividing the number of voters entered in the preliminary electoral rolls of the area in question prepared for the purposes of the first general election to the House of the People under the Constitution by the total number of voters entered in the preliminary electoral rolls of all the areas comprised within the State prep red for the purposes of such election.

S.No. 101.

D.O. No. 274/50-RG
Office of the Registrar-General, India.
Dated New Delhi, The 6th April, 1950.

[redacted]

My dear Sundaram,

Please refer to your D.O. letter dated the 4th April, 1950, enclosing draft summaries for Cabinet and draft orders regarding scheduled castes, scheduled tribes and determination of population.

2. The Hon'ble Home Minister desires certain points to be examined and noted on for his information and for this purpose we have to see the correspondence with the State Governments regarding the settlement of these schedules. The position regarding the tribes in Assam is particularly complicated and we would therefore like to see the papers regarding the discussions which (I understood) have taken place with the Assam Chief Minister about which tribes should be scheduled and which not. I shall be very grateful if the relevant files are sent to me by name very urgently.

Yours sincerely,

(R.A. GOPALASWAMI).

Shri K.V.K. Sundaram, I.C.S.,
Secretary to the Govt. of India,
Ministry of Law,
NEW DELHI.

P. 248/C

Files should be sent at once to Mr. Gopalaswami by name

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C Branch

Appendix

Statement of Replies from
State Governments
re: basis of Scheduled Castes
and Scheduled Tribes

—

STATEMENT OF ANSWERS FROM PROVINCIAL GOVERNMENTS TO THE TWO QUESTIONS INDICATED BELOW*.

NAME OF PROVINCE.	(1) *Whether a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste.	(2) *Whether a person not professing the tribal religion should be treated as a member of a Scheduled Tribe.
WEST BENGAL. P.88/C	A member of a Scheduled Caste who does not profess Hinduism should not be treated as a member of a Scheduled Caste.	A member of a Scheduled Tribe who does not profess the tribal faith should still be treated as a member of a Scheduled Tribe.
MADRAS. P.104/C	Conversion to another religion does not, according to the orders in force in this Province, generally affect eligibility for the ameliorative help granted by this Government. For other purposes, however, e.g. appointment to public services, elections, etc., a Scheduled Caste convert to Christianity or Islam will be treated only as a Christian, or as the case may be, as a Muslim. In other words, the answer to the first question raised by the Ministry is in the negative, and it should, in this Government's view, be so as a matter of principle and policy.	This Government have so far listed backward tribes without reference to their religion and without entering into any controversies over what is a tribal religion. This Government consider that this policy should be maintained and that unnecessary refinements should be avoided.
U. P. P.85/C	The Prov. Govt. are of the opinion that a member of a Scheduled Caste when he changes his religion feels quite often that he has made a break with his past. ..... There is, therefore, no valid ground for continuing to treat converts from Scheduled Castes as members of those castes after their conversion.	The Provincial Govt. hold the view that a member of any of the Scheduled Tribes who ceases to profess the tribal religion, should not continue to be considered as a member of a Scheduled Tribe. .....
BIHAR. P.91/C.	The Prov. Govt. consider that a member of a Scheduled Caste should not continue to be treated as a Scheduled Caste if he has changed his religion, or changes it subsequently.	....the Provincial Govt.'s view is that the profession or non-profession of a particular religion, as such, may not be the basis for treating a person as a

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(1)

(2)

BIHAR (contd.).

member of a Scheduled Tribe. .... there are large groups among tribes who, though professing Hinduism, are socially and educationally as backward as tribal groups professing tribal religions. But where adoption of a particular religion has been followed by such social and educational progress as to bring the converts to the level of the general population, they should be excluded from the list of Scheduled Tribes, not because of their religion, but because of the progress and social changes that have resulted from the adoption of a particular religion. In other words, the criterion must be the state of social and educational development and the degree of approximation to primitive social organisation. ..... the Christian aboriginal, as a rule, does not require any special protection, or need any special ~~protection~~ assistance; and on merits, the exclusion of almost the entire Christian aboriginal population from the list of Scheduled Tribes would, therefore, be justified. The Prov. Govt., however, wish to err on the side of liberality in this matter; and they accordingly suggest exclusion only of the Christian aboriginals residing in the district of Ranchi, and in the Dumka, Pakaur and Rajmahal subdivisions of the Santal Parganas, ~~wh~~ where the ~~Christia~~ Christian aboriginals are, due to the conjunction of a variety of circumstances, most ~~adva~~ advanced.

Bp. 130-32/e

In a further letter, the Bihar Govt. have given certain statistics in support of this point

	(1)	(2)
EAST PUNJAB.	... a member of a Scheduled Caste, if he has changed or subsequently changes his religion should continue to be treated as such, unless he intimates to Govt., that he does not want to be so treated, ...	... a person not professing the tribal religion should also be treated as a member of a Scheduled Tribe.
A S S A M.	A person belonging to a Scheduled Caste ceases to be a Hindu on change of his religion. He should, therefore, not be entitled to the special safeguards provided for the Scheduled Castes in the Constitution, or be treated as a member of such Scheduled Caste for any purpose.	In regard to the tribal people, special safeguards have been provided for them in the Constitution in view of their general backwardness, distinct ways of life, culture, etc., and the religion practised by a tribesman cannot be the determining factor as to whether he should continue to be treated as a member of a Scheduled Tribe. A tribesman should, therefore, continue to be accorded the privileges provided for the tribe to which he belongs irrespective of his religion.
C.P. & BERAR.	If a member of a Scheduled Caste has changed or subsequently changes his religion, he should not continue to be a member of the Scheduled Caste, as he would be ex-communicated by his caste, and will not be allowed to dine and inter-marry within the caste. ... The High Court of this province has ruled that if a member of the Scheduled Caste changes his religion, he is governed by law of succession and inheritance according to the religion he accepts. ... Such a member therefore, should not continue to be treated as a member of a Scheduled Caste.	Similarly, a person not professing the tribal religion should not be treated as a member of a Scheduled Tribe for the reasons set forth under (1).
ORISSA.	... if a member of the 'scheduled castes' changes his religion, he should not continue to be treated as a member of 'scheduled castes'.	... a person not professing the tribal religion should not be treated as a member of the 'scheduled tribes' but should be treated as a member of "other backward classes subject, however, to the following two con-

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ORISSA (contd.).

ditions, namely:-

(a) That a person even if he professes the tribal religion should not be treated either as a member of the "scheduled tribe" or as a member of "other backward classes" if he has socially, educationally or economically attained a degree of advancement which, in the opinion of the Provincial Government has developed in him such a different code of conduct and attitude towards life that he cannot represent the tribal viewpoint;

(b) that a person even though he has changed his tribal religion should not be treated as a member of "other backward classes" if he has socially, educationally or economically attained a degree of advancement which in the opinion of the Provincial Government does not entitle him to any protection to which the backward classes are entitled under article 46 of the Constitution of India.

(above)

In making the/recommendation, the Prov. Govt. have been influenced by the fact .....

Mxkxxx The Prov. Govt. ~~xf~~ are of the view that they should be given power to exclude by notification such of the persons who in their opinion have attained such a degree of advancement as not to justify their being treated as members of "scheduled tribes". .....

Note.- Art. 46 of the Constitution refers to "the weaker sections of the people, and, in particular, ... the Scheduled Castes and the Scheduled Tribes".

Art. 342(2) appears to rule out the possibility of executive action altogether in respect of the items in the [illegible]

BOMBAY.

(1)

... a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should <u>not</u> continue to be treated as a Scheduled Caste ...

(2)

... similarly, a person not professing the tribal religion should <u>not</u> be treated as a member of a Scheduled Tribe.

STATEMENT OF ANSWERS FROM STATE GOVERNMENTS
TO THE TWO QUESTIONS INDICATED BELOW*.

---

	(1) *Whether a member of a Scheduled Caste, if he has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste.	(2) *Whether a person not professing the tribal religion should be treated as a member of a Scheduled Tribe.
MYSORE.	...if a member of a Scheduled Caste has changed or subsequently changes his religion, ~~xxxx~~ ipso-facto he has to be treated as one belonging to the religion of his choice and not that of his birth	...in the case of a person not professing the tribal religion, the test should ~~xhxx~~ be whether he was born in and continues to carry on the activities of his tribe or whether, being born in a tribal community, no longer professes that religion nor actively participates in the activities of his tribes. If the former is the case, he should be treated as a member of the Scheduled Tribe, whether he professes the religion or not, and in the latter case, he should cease to be regarded as a member of the Scheduled Tribe.
ADHYA BHARAT.	... a member of the Scheduled Castes, who has changed or subsequently changes his religion, should continue to be treated as a Scheduled Caste.	... a person, who does not profess the tribal religion but is a member of the Tribe, should also be treated as a member of the Scheduled Tribe in question.
TRAVANCORE-COCHIN.	... such a member need no longer be treated as a Scheduled Caste.	... unless such a embraces Christianity or Islam, he should be included in the list.
RASHTRA.	... as soon as a member of a Scheduled Caste changes his religion, he should ~~be~~ no longer be ~~treated~~ considered to belong to a scheduled caste ...	... even when a person does not profess the tribal religion, he should not cease to be treated ~~as~~ as a member of a Scheduled Tribe, as professing a religion of a tribe has no essential bearing to ~~h~~ his being a member of a Scheduled Tribe.
AJASTHAN.	A member of the Scheduled Caste if he has changed or subsequently changes his religion, should cease to be treated as a member of the Scheduled Caste.	A person not professing the tribal religion should not be treated as a member of a Scheduled Tribe.

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P.T.O.

(1)

... if a member of the Scheduled Caste changes his religion, he should not be treated as a member of the Caste. Such a conversion is generally followed, sooner or later, by the severance of all ties with the caste as a whole and very often even with the relatives.

(2)

It is difficult to say who does or does not profess a tribal religion. Most of these tribal people even when they change their religion do so in a very lukewarm manner. Our answer to this question is in the affirmative.

HYDERABAD.

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The Government of PEPSU ~~xx~~ are of the opinion that religion should have no bearing on an individual being classified as a member of a Scheduled Caste. The caste does not change with change of religion. If a Scheduled caste individual changes his faith, it should not in any way debar him from being treated as a member of Scheduled castes.

P.E.P.S. UNION.

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504 end